

THE
WESTMINSTER
-REVIEW.

JANUARY TO JUNE
(*INCLUSIVE*)
1829.

"Truth can never be confirmed enough,
Though doubts did ever sleep."

SHAKESPEARE.

Wahrheitsliebe setzt sich darin, daß man überall das Gute zu finden und zu schätzen weiß.

GÖTHE.

VOL. X

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been put to their onward march; and thoughtful men have occasionally asked, Is this system sound? How long can it go on? When will it end?

Recent occurrences have drawn attention to the subject, and the time seems opportune for considering it in some of its more important bearings. But, before we proceed to give some account of National Debts generally, their origin and history, their steady growth, present stupendous amount, and probable further increase, and to present some considerations arising out of the facts disclosed, we propose to pass in review the principal matters touched upon in the Report of the Foreign Loans Committee.

On the 23d February 1875, it was ordered by the House of Commons "that a Select Committee be appointed to inquire into the circumstances attending the making of contracts for Loans with certain Foreign States, and also the causes which have led to the non-payment of the principal moneys and interest due in respect of such Loans." As is well known, the facts which led to this inquiry were the several defaults of the States of Honduras, Costa Rica, Paraguay, and San Domingo, preceded and accompanied by circumstances which led to the suspicion of gross fraud. These circumstances have been investigated and reported on by a Committee of rare talent and sagacity, and the result is given in a Bluebook of 720 pages folio. In the beginning of October came the Turkish default, bringing with it the apprehension of similar disasters, and at the end of November Europe is startled by the purchase by the British Government of three-fifths of the Suez Canal shares from the embarrassed Khedive. No one at all conversant with the subject can disconnect these events, or fail to perceive that the Turkish decree of spoliation and the Canal transaction are only the legitimate outcomes of the late parliamentary inquiry. And there will be other consequences of this exposure to which we will not now further advert than to express our extreme satisfaction at the effect it has produced in opening eyes and ears that would not have been opened by any other means, and thereby saving millions to our credulous fellow-countrymen.*

It would be impossible to give apter illustrations of the position we shall take up than these two recent events. In the case of Turkey, a career of excessive borrowing has brought about a collapse in twenty years, while in the case of Egypt eleven years have been found sufficient to lay so intolerable a burden on its resources, as to necessitate a transaction unprecedented as

* The losses during the last three years in speculative loans cannot be less than 60 millions sterling.

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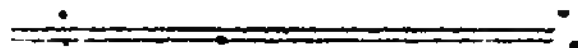
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JANUARY, 1829.

- ART. I.—1. *Protestant Principles: Exemplified in the Parliamentary Orations of Royal Dukes, Right Reverend Prelates, Noble Peers, and Illustrious Commoners; with the Constitutional Declarations of Irish Protestants; against the Roman Catholic Claims. To which is prefixed, An Address to the Protestants of Great Britain and Ireland. "VOLUNTIS LEGES ANGLIÆ MUTARI."* London. John Murray, Albemarle Street. 1827. Svo. pp. 451.
2. *Speeches upon the Roman Catholic Claims: delivered in Parliament, by Charles Lord Colchester, in the House of Commons when Speaker, and subsequently in the House of Peers. With Preliminary Observations upon the present state of the Roman Catholic Question.* London. Hatchards. 1828.
3. *An Address to the Freeholders of the County of Kent. By the Right Hon. Lord Berley. Oct. 25, 1828. Maidstone. R. J. Cutbush.*
4. *A Letter on Catholic Emancipation. By the Rev. R. W. Hamilton, of Leeds. Liverpool. F. B. Wright. 1828.*

A GOOD kind of man, but a stupid,—a substantial sort of a waggoner, who lived in a hard-working country, where he had enough to do to get his loads up one hill and down another, and make both ends meet at the year's end,—received from his father, who was just such a man as himself, and in fact as like him as eggs are to eggs, a fair stud of horses, fourteen black and six grey, all able-bodied beasts, and as likely to drag a broad-wheeled waggon through rut and mire, as could be met with in Europe, or America to boot. The little in the main, excepting their colour, were much alike. It is true they were of different breeds; and it was on record that the whole stud had once been grey, and when the black breed was first introduced, which was in the time of one of the present man's great-great-grandmothers of blessed memory,

they were sorely kicked by the greys, who considered themselves as the orthodox colour,—and this went on, till by the course of nature and arithmetic, the kickers were proved to be in the wrong, when they were not a little kicked in their turn. Of late years however, the predominance of the blacks had been so decided, that the greys wanted nothing but to have fair play and be let alone; and except when intolerable ill-treatment roused them to momentary retaliation, there was no instance, as in fact was only common sense in man or horse, of their attempting any thing against the peace of the community. Another difference, indeed, there existed, which was made great use of towards keeping up the old disputes. And this was, that there was a notion, that the greys could not do without a mash two days a week; and some old-fashioned keepers they had, laid great stress upon this point, though many thought if it was left to the cattle themselves, they would be very likely to be content with oats. But however this might be, the difference served for a difference, or for a peg to hang a difference upon; and hence were the disputes, whether a horse that eat mash twice a week, ought to rank with a horse that eat oats whenever he could get them. One thing, however, was remarkable,—that these differences were never heard of when there was any thing to do. And particularly in the great winter, when the good man's waggon got into such roads as were never known before or since,—and some said the drivers were drunk, and others that they must have been mad to get into such places at all, and that it was nothing but luck and a hard frost that ever got them out of the scrape,—there was nobody who did not allow, that the single way in which the waggon was ever brought into fair ground again, was, that the horses laid shoulder to shoulder, without distinction of colours, and no man at that moment could have said, that a black was better than a grey, or that the waggon went any the worse whether mash or oats were helping to draw it. In fact, from that time, the owner, who paid for all, began to have a serious wish to see an end of disputes. And it was while he was thinking on this matter, and racking his brains for the means of bringing it to pass, that there happened what happened. And what this was will be seen by those who go on with the history.

Now what fate had determined should happen, was, that as he was sitting and meditating as aforesaid, his landlord and the vicar of the parish, who were persons whose opinions his father had taught him to hold in great respect, came to him and told him, that they had considered his case as if it had been

their own, and there was no peace nor salvation for him in any way but one—and that was, that he should hook-on his six grey horses to the back of his waggon instead of the front, and so drag up the hills with fourteen pulling one way, and six the other. His progress, they said, depended on an ascendancy; and this, they told him, was an ascendancy, and consequently the only thing that could do him good. It was in vain that the school-master urged,—for the school-master was abroad, and had got into that parish too, though it was a dull one,—that fourteen and six made twenty, and six from fourteen left eight; so that it was, in reality, making an eight-horse power out of a twenty, or throwing away nearly two thirds. The other side said this was an abstract doctrine and a conceit of theory,—and that his ancestors, who must necessarily have been older than himself, had been seen pulling up hill in precisely the same manner;—and they gave as many reasons as would fill an octavo volume, why nothing else would do. So the honest man took the advice of his betters, as an honest man ought; and the next week his waggon was seen working up hill with six horses behind, in the extraordinary fashion his aristocracy insisted on. And to say the truth, the cattle that pulled backwards exerted themselves to the utmost,—and made the fire fly from their heels, and their traces crack again, to show their discomfort; for they were angry at being dragged with their tails foremost after such an unbrotherly sort. And great was the commiseration for the unfortunate beasts that were made to go pulling up hill with their fellows yoked against them; and it was clear from their looks, that they thought they looked like fools,—but what was to be done when the gentlemen would have it so? And the more the boys hallooed, and called out ‘Whip behind,’ the more the ~~drivers~~ drivers who were in the plot, huzzaed for the Black Ascendancy; and one of them swore ‘So help him God’—for which he ought to have been fined—that he would never consent to any other method while breath was in his body. So in this way they went on, to the great mirth of some, and the admiration of all; and how it ended is not so clearly known, except that there was a design of bringing the plan before parliament, that the united wisdom might have the benefit of adopting it, if they thought proper.

If any person is anxious to know what kind of arguments were brought against the school-master, he may apply himself to ‘Protestant Principles, exemplified in the Parliamentary Orations of Royal Dukes, Right Reverend Prelates, Noble Peers, and Illustrious Commoners,’ not written at all in mockery, but *bonâ fide* printed and published by John Murray of Albe-

marle Street. Here shall he find pregnant reasons, 'hallowed maxims,' 'fearless determination,' and 'unison of sentiment,'—all brought to bear on the necessity of applying the '*Nolumus leges Angliæ mutari*,' to the case of the unhappy cattle who are at this time dragged behind the waggon of the state. The which, for brevity, the author of the '*Principles*' has condensed into eight Propositions,—intended, as he declares, for the 'demonstration' of his case by 'incontrovertible facts' and 'allowed declarations.' Which Propositions here follow in the entire; with what the school-master would have replied, set opposite to each.

I. That the Protestants of Great Britain and Ireland [*meaning the black horses*] possess an acquired, and inalienable right to political and religious ascendancy in the State.—*Protestant Principles*, &c. p. v.

Answer. They have an acquired and inalienable right to cut their own throats if they please; for they are a majority, and nobody can hinder them. But the question is, whether they are to be fools enough to cultivate such an ascendancy, as consists in dragging a third part of their fellows at their heels, instead of having their assistance in the common draught.

When the Catholics had an ascendancy of the same kind, they struggled hard to retain it; and when the Protestants got it in their turn, they did so too. But the modern discovery is, that it is not ascendancy but union, that will draw the waggon through the mire.

II. That the Roman Catholics, who recognize a foreign ecclesiastical jurisdiction within this realm, enjoy as many privileges, as it is expedient for a nation essentially Protestant to concede.—*Id.*

A. It is not true, that the nation is essentially Protestant, any more than that the horses are essentially black;—they are essentially fourteen black and six grey. It is a fraud and a fallacy to represent that a nation is essentially any thing, except a combination of the people who compose it, whether they be Jew, Mohammedan, or infidel. All pleas to the contrary, are only pleas for the exercise of oppression by the application of physical force.

The Catholics of Great Britain recognize an ecclesiastical jurisdiction vested in a foreigner, because their Pope happens to be the Pope of Rome, and not the Pope of Canterbury. But there is no proof that they will ever obey their Pope in opposition to their civil interests; but every proof to the contrary. Make them happy and contented citizens, and they will not be,

unhappy ones to please the Pope. The plea of their recognizing a foreign jurisdiction, therefore, is nugatory and dishonest, unless it can be shown, first, that some inclination to do mischief, in a state of justice and equality, is likely to arise from it,—and secondly, that they would have some power to do mischief, supposing they had the inclination.

III. That the acquisition of political and religious power in the kingdom, is the manifest object of the Roman Catholics; and that, as similar power in possession of persons professing the same creed has been productive of baneful consequences in those states where existent, such power must, therefore prove imminently detrimental to the welfare, peace, and happiness of this Protestant empire.—*Id.*

A. Power—political and religious power—is what all men seek for, and have a right to obtain in exact proportion to their numbers and importance in the state. Any state founded on other principles, is not a community associated for the common good, but a *caste* of bandits united for the oppression of such unfortunate persons of other classes as may happen to be within their reach.

That the Catholics abused their power when they had it, is as true as that the Protestants have abused theirs. But the discovery of modern civilization is, that instead of the question being whether Thomas shall be the robber or John, neither John nor Thomas shall rob the other, but each shall take the share that honestly befalls him.

If the question were of giving power to a *majority* of Catholics, the disposition of the Catholics to abuse power would be an important element in the debate. But when their minority is one of six to fourteen, the question is only whether we shall hook-on six horses behind, for a danger which is nonexistent.

The real danger perceived by the supporters of injustice in the abstract, is, that the struggle between justice and injustice is already often so hard as to make it difficult for the latter to hold its ground. And as the Catholics, it is supposed, at least for the present, would be on the side of justice, there is no knowing what perils might arise from the accession of six out of twenty. The fear is not of what six millions of Catholics could do by themselves, but of what they might do if they were to join six or eight millions who are for justice already. As it used to be said that America was defended in Germany, so what is really defended by the opponents of the Catholics is *something else*—as, for instance, the state of the representation, or the Corn Laws. It is in this light, therefore, that every

person in the empire, except those who profit by existing wrongs, has a home interest in the success of the Catholics.

IV. That the speeches and publications emanating from divers members of the Roman Catholic Association, and the public transactions of this *imperium in imperio*, are demonstrative of the unconstitutional course which Roman Catholics would pursue, if ever they possess 'total, unequalled, and unconditional emancipation.'—*Id.*

V. That, during the recent elections in Ireland, the Roman Catholic Priesthood exercised an inauspicious and undue influence over their flocks, and manifested symptoms of spiritual domination over their communicants, for the undisguised attainment of political purposes.—*Id.*

VI. That the Roman Catholic Forty-shilling Freeholders, having violated the original object which the legislature contemplated when con-

A. The Roman Catholics do, as most other people do when they are oppressed—they do all that they can. They may not always act with the best possible judgment; but men are not bound to be oppressed and judicious in the same breath. The oppressors do not know how to be judicious,—much less the oppressed.

When the Protestants found themselves in danger of being oppressed as the Catholics are now, they stood upon no niceties, but they whipt another king upon the throne, and kept him there. After this precedent, there is no sense in making an outcry because the Catholics associate to carry a point in parliament.

A. The Catholic priesthood did as the Methodist preachers, for instance, or any other priesthood, would do if their sect was oppressed—use all their influence to drive their flocks in the way they thought for the common interest. When Lord Sidmouth deemed it fit to tamper with the Toleration Act, the Methodist preachers, in a week, sent up petitions to both Houses which would have reached to Charing Cross, and brought his lordship to a *metávoia* or change of mind, before his next Sunday's dinner. It is impossible to say that any set of men have not a right to do the best they can for themselves, within the limits of what is allowed by all.

A. When a man has the right of voting, it is either that he may use it for his own protection, or that he may not. If it is the first, then there can be no complaint against him for using it. If it is the other, then the whole is a mockery and a fraud,

ceding to this body the Elective Franchise, have therefore incapacitated themselves from being retained in possession of this privilege;—this portion of the Elective Franchise should consequently be remodelled, or the amount of freehold qualification increased.—*Id.* p. vi.

injustice, at which the influence of the richer classes fails; which is also as it ought to be. It is because it is demonstrated that the possession of popular suffrage is in extreme cases an efficient instrument of protection, that it is proposed to take it away. The forty-shilling freeholders have read a lesson to the people of England on the effects of popular suffrage, which if the latter do not benefit by, they are duller than they were ever taken for. If the people of England see unmoved the Irish freeholders deprived of their freehold for using it, they sign the death-warrant of the little power they have to protect themselves, and of all their hopes of increasing it.

VII. That the wisest Statesmen, and most distinguished Protestants of the past age, were decidedly opposed to a 'total, unqualified, and unconditional' concession of the Roman Catholic claims.—*Id.*

A. There is no arguing from the time when the Protestants were struggling against oppression, to the time when they are the oppressors. When they were just escaping from the condition in which the Roman Catholics are now, there might be many things defensible and right, which are not so when the question is only of doing justice to a minority that asks it. The Revolution of 1688 was exactly such an event as would take place, if the

Roman Catholics were to relieve themselves from oppression by an application to a foreign power. Whatever therefore the precedent may prove, it does not prove either the right or policy of oppressing any body now.

VIII. That a preponderating majority

A. Every body knows, that there will be no emancipation till a majority can be

of British and Irish peers, with a majority of British Representatives, being opposed to this misnamed 'Emancipation'—it is a measure which, being repugnant to the fundamental axioms of the British Constitution, and discordant with the inclinations of the people, is therefore unsuitable, inexpedient, and unnecessary for this Protestant nation.—*Id.*

got for it; and to get it, is the question. In the Commons, a majority has been had several times already. And in the House of Lords,—whose avowed constitutional object is to act as a drag upon the national will by the interposition of a body the least accessible to the reasons which move the rest,—there is no occasion to despair. Lords may not change, but lords must die and have successors; and in this way, sooner or later, the opinions of the age will climb up into the fold. The *vis inertiae* of the hereditary body is evidently equal to some assignable quantity, and may be considered as equivalent to a demand for some given majority in the Commons. It is therefore only marching upon this point instead of the other. The

point is a little farther off, but it is equally sure to be reached in the end.

Such are the eight Propositions—the strong distillation—the one glass in the middle of the frozen bottle of Champagne, as Lord Byron has delighted to express it—wherein are condensed the reasons in which the opponents of the Catholics put their trust. From these the descent is easy to the grosser matter of the Orations themselves; of which the collection is so copious, that there is no room for premising more, than that in cases of this kind, the multiplicity of reasons is no argument for truth. Fallacies are as plenty as blackberries, on any subject where men's passions are engaged. The question, therefore, in any instance, is not how many reasons can be urged, but how many of them can stand the test of a reply.

Surely, your lordship cannot wish to place the Established Church of England upon a worse footing than any other church within these realms; nor allow the Roman Catholics, who not only refuse to submit to our rules, but who deny any authority of

A. 'Shall we suffer Catholics to legislate for the Established Church,' means, 'Shall we suffer Catholics to sit in the Houses of Lords and Commons in proportion to their numbers and importance in the state.' If the question had been of transferring the legislation for the Established Church to a body wholly composed of Catholics, then the objection would have been just. But, as it is, it amounts only to saying, 'Shall we suffer any body to sit in

the civil power over their church, to legislate for the Established Church; which must be the case if they be admitted to seats in either House of Parliament. —*Speech of H. R. H. the Duke of York; April 25, 1825. p. 3.*

the Houses of Lords or Commons, that is not of the Church of England.’

Suppose the Catholics were to say, ‘Shall we suffer Protestants to sit in either House of Parliament with us, and so legislate for the Roman Catholic Church.’ What a proof of violence, and incapacity for constituting part of a civilized community, would this be held to be. Yet the blunder would be only the same as now;—and consists in overlooking the fact, that barbarians divide themselves and

go to buffets, to know which half shall oppress the other,—civilized men come to some middle term of justice, which combines the interests of all.

If the Established Church has some secret which makes her interests incapable of combination with those of any body else—she is a tyranny, and will go the way of other tyrannies. Those who say her interests are so incapable, say she is a tyranny; and the Church ought to bring her action for libel—though she will not.

My Lords.—I wish to ask, whether your lordships have considered the situation in which you might place the King, or whether your lordships recollect the oath which his Majesty has taken at the altar, to his people, upon his coronation? I beg, my lords, to read the words of that oath:—“I will, to the utmost of my power, maintain the laws of God, the true profession of the gospel, and the Protestant reformed religion established by law;—and I will preserve”

A. The meaning of the oath is clearly, that the king will not fall into the sin of James II.—that he will use the executive power for the preservation of the bishops, and every body else, in their legal rights, whatever they may be, and not use it for taking them away contrary to law. But that it contemplates no constraint on the exercise of his portion of the *legislative* power, is demonstrated by the words ‘as by law do or shall.’ The word ‘shall’ contemplates alteration; and is specially put there to do so. But no alteration in the rights and privileges by law appertaining to the church, ~~but~~ take place without the co-operation of the king. The co-operation of the king in alterations, therefore, is contemplated. Surely the church does not intend to maintain, that the king’s Coronation Oath is a patent mouse-trap,—destined to let all in that may be for the advantage of the church and churchmen, and nothing out.

and to the churches committed to their charge, all such rights and privileges as by law do or shall appertain to them, or any of them."—*Id.* p. 4.

and dragoons, that he is to protect our laws; and not by the refusal to co-operate in his legislative capacity, in such alterations as may from time to time be found needful.

With respect, my lords, to the circumstances which brought our family to the British throne, your lordships well know that they originated in the Revolution. The great object of that revolution was to secure the religion and liberties of these realms. These objects were confirmed by the act of settlement, by the declaration of rights, by the oath of supremacy and abjuration, and by the succession to the crown in the Protestant line. To maintain and uphold all these, my lords, our family was called to the throne. And whatever can militate against these principles,

in the remotest degree, it is my bounden duty, as a member of this family, and as a member of your lordships' House, to resist.—*Speech of H. R. H. the Duke of Cumberland, May 10, 1805.*—p. 6.

With respect to myself also, I trust that I may stand in some measure ex-

The confounding the king's maintenance of the law with keeping the law always in its existing state, is as absurd as if a man were to fancy, that when he sings, drunk or sober, 'May he protect our laws,' it means, 'May he refuse his assent to the repeal of any Act of Parliament.' It is in the king's capacity of a commander of foot, horse,

A. The Revolution of 1688, was the outbreak of an oppressed party, and setting it a-cock-horse on the oppressing one. It was such an operation as would be performed now, if the Catholics were to appeal to foreign aid, and set a new king of their own upon the throne. It might be necessary enough; at least all Protestants might think so. And under all the circumstances of the case, it might be the best thing that could be done; and we, the quondam sufferers, are much obliged to the doers. But all this forms no reason why the country should oscillate between the extremes of Catholic and Protestant oppression for ever. Men live in these days for other purposes, than being either Catholics or Protestants *par excellence*; and they want to see the pendulum set down gently, into something like a point of natural rest. They want, in short, to see the end of dragging six horses out of twenty behind.

A. What are familiarly called Protestant interests distinguish themselves into two kinds, the honest and the dishonest. The Protestants can have no honest

cused for an early and prompt interposition against a measure, which, while it seems to impose upon a lord chancellor, who, under the bill may be the only lay servant of the crown in Great Britain necessarily a Protestant, the peculiar duty of watching over Protestant interests, appears to me necessarily and obviously to bring all those interests into extreme peril.—*Speech of Lord Eldon, April 17, 1821.*—p. 8.

My Lords.—That securities were necessary, Mr. Pitt had always admitted; that they were necessary to secure the Protestant interest, and to quiet also the fears of the Protestant mind; but it had never yet been stated, and I presume, therefore, that no man had learnt from that great statesman — for my own part I never could learn — what securities were to be proposed, and how the Roman Catholic mind was to be conciliated, and the Protestant mind, at the same time divested of its apprehensions.—*Id.* p. 10.

It appears, then, my lords, from what passed at the Revolution, that our ancestors were satisfied that political power in any department of the state, in the hands of Papists, was inconsistent with the maintenance of a Protestant establishment. Upon the principle that, in a Protestant

interest, but in the establishment of general justice and equality; whatever interests therefore go against this, are of the dishonest.

A. The Catholics offer a security, so good, that Mr. Pitt in withholding the secret of his intended securities, may be suspected of having been a *mauvais plaisant*. They offer—their minority. They offer the impossibility that six horses, though possessed of all the devils that entered into the herd of swine, should devour and swallow up fourteen. The Protestant mind must be peculiarly accessible to fear, if it wants any greater security for its *honest* interests, than being stronger than the supposed adversary in the proportion of seven to three.

A. It might be very reasonable that our Protestant ancestors should come to such a conclusion, at a time when there was a balance of strength, or more properly when the balance was against them. At all events it was as natural, as that the Catholics should come to a similar conclusion, *mutatis mutandis*, on the supposition that they were at this moment to repeat the manœuvre of the Protestants. But all this proves nothing as to the propriety and necessity of doing the same thing when there is no balance, and when the Protest-

kingdom, political power should be placed in Protestant hands, the settlement then made was made.

Upon this principle, the settlement then made has been continued from generation to generation; and the wisdom of the principle is in itself sufficient to account for the adoption and maintenance of that settlement, without reference to the dread of Popish plots, or apprehensions about Popish pretenders.—*Id.* p. 36.

My Lords. — Demand has followed from time to time upon demand, and demand will follow from time to time upon demand, till nothing more can be asked; for till toleration of the Roman Catholics in Ireland gives way to Roman Catholic establishment, and Protestant establishment shall be succeeded by such a portion of toleration of Protestants as the Roman Catholics may be disposed to allow them, it cannot be rationally expected that the Roman Catholics there will cease their struggles to supplant the Protestant Church, if they do not disturb the settlement of property.—*Id.* p. 40.

Let the words of Lord Hardwicke be had in remembrance: — ‘It well deserves,’ he says, ‘the serious attention of the whole nation, of what important con-

ants have the power all on their own side.

A. Demand will follow upon demand, till the point of justice is arrived at;—there is no doubt of that. The enemies of justice are always in a ridiculous dilemma, between the necessity they feel for yielding something now, and the certainty that this will lead to yielding more hereafter. They have their choice between perishing by a convulsion, and by a galloping consumption.

But the statement is utterly illusive, that demand will follow demand till the Protestants are reduced to as bad a state as the Catholics are in at present. Such a result would be the natural consequence of a revolution effected by foreign aid; but it is not what can ever be arrived at by the process of rational concession. The question is not of what the Catholics might be disposed to ask if they could get it; but of what they are likely to get by asking. There must be some chance, some probability, of their being able to obtain what they demand,—before their disposition to demand is represented as the measure of the danger.

A. The old devil of ‘uniformity,’—that kindled the fires of the Inquisition, and set Claverhouse on his black charger. It needs no conjuror to tell who is threatened, when such a spirit as this walks abroad, with a license from the lord chancellor.

The truth—established, as every other

civil interest, is demonstrated by the fact, that when all England was Popish together, the Pope could not hold his own, nor prevent his affairs from coming to the pass in which they are discovered at present.

The service of the former is complete; that of the latter only qualified; and unless it can be proved to me, that the man who works for half a day is entitled to as much wages as the man who works the whole day, or, in other words, that the half is equal to the whole,

I cannot admit, that the Roman Catholic, whose allegiance is divided between a spiritual and a temporal master, is entitled to the enjoyment of the same civil rights and privileges as the Protestant, whose allegiance is undivided, and who acknowledges but one ruler.—*Id.* p. 47.

Do not Protestants and Roman Catholics, however differing on other matters, unite in this, that in the various counties in Ireland, the power of the landlord is nothing to that which the priest possesses in cases of contested elections, and upon other occasions, when he wishes to make his political influence available?—*Id.* p. 51.

A. The fallacy is in stating, that there is any difference in the services. The difference stated is only 'leather and prunella.' It would be just as sensible to say that one of the grey horses has his allegiance divided between a spiritual and temporal master, — when the fact before every body's eyes is, that he pulls and is willing to pull, if people will only refrain from yoking him to the wrong end.

A. When the interests of the people and those of the priest lie the same way—when both of them are suffering under one common injustice—the priest has a power in rousing and directing the efforts of the people, against which the naked pecuniary influence of the landlord is as nothing. The case is the same that would take place, if the Protestant population of England were oppressed by the Roman Catholics, and Catholic landlords should try their hand at persuading them to vote against their clergy and their interest. In such circumstances the Protestant clergy would be 'brought to the fore,' and be of 'incalculable power; though on all common occasions they are ready enough to lament the little heed that is paid to their suggestions. It is not the priests that raise the storm, but the storm that raises the priests. In all countries, priests—'black, white, and grey'—confess themselves much fallen into the sere and yellow leaf. Even in Portugal, the priests could not hold their ground in opposition to the

people, if the English Tories had not enabled the barbarian powers to press on France, to press on Spain, to press on Portugal, and so maintain them. The first time a timber slips in this 'House that Jack built,' it will be seen if it is not true.

The landlords have the Corn Laws; what else would they desire? Do they claim a monopoly of religion and quarter-loaves,—the prohibition of foreign faith as well as corn, by act of parliament? Their demand to limit men's religion in Ireland, is the out-post to their demand to limit men's food in other places; and to drive them from one first, is the plain road to driving them from the other afterwards.

I am not prepared, by my vote this night, to give notice to quit my present tenement, until I am sure of having another house over my head.—*Speech of Earl Bathurst, May 16, 1817.*—p. 70.

A. There is one thing worse than having no new house over your head,—and that is, having the old one fall upon it. The question may some morning be found settled in a way that it would be very unpleasant for noble lords to think upon; and what then becomes of noble lords coquetries about not trying a new house too hastily.

On this head also, in addition to the enactments of our present laws, we shall do well to bear in mind the plain policy and express provision of the famous edict of Nantes, which forbids the public exercise of any other than the dominant religion in our fleets and armies, a possible attempt in

A. This was said in 1822; and in 1828 the king's generals in Ireland were issuing directions, that when the Protestant and Catholic soldiers of a regiment attended their respective places of public worship at different hours, the Protestants should keep the arms of the regiment for the Catholics, and the Catholics for the Protestants. A good military comment on the wisdom of intolerant peers; and an argument for the soundness of the rest of their conclusions.

the present growth of Roman Catholic pretensions, and which no man who values the safety of the state, can contemplate without just alarm,—*Speech of Lord Colchester, June 21, 1822.*—p. 74.

Our Protestant ascendancy must be paramount, or we shall have, in no long time, a Catholic domination. Let us not deceive ourselves. These two

A. The tyrant's plea, necessity. If by ascendancy is meant the foolish plan of making one part of the horses drag the other, then it is true that there must always be an ascendancy one way, and that the only way to prevent its being against one.

claims to power are utterly incompatible, and irreconcilable.—*Id.* p. 76.

A conference was held respecting the bill for Occasional Conformity, and the lords who conducted it, had objected to a measure which subjected to the penalty of perpetual forfeiture of office those who were guilty of the crime of occasional conformity. At the conference they stated this important doctrine: 'The lords look on the fixing of the qualifications for places of trust to be a thing so entirely lodged within the legislature, that, without giving any reason for it, upon any apprehension of danger, however remote, every government may put such rules, restraints, or conditions on all who serve in any place of trust, as they shall see cause for; but penalties and punishments are of another nature.'—*Parliamentary History*, vol. vi. p. 80.—*Speech of Mr. Peel*, Feb. 28, 1825.—p. 89.

Mr. Pitt told the House—'The persons excluded by the Test Laws laboured under no kind of stigma; but it was the policy

side, is to make it against the other. But this necessity rests on nothing but the supposition, that men are foolish enough to insist on there being ascendancy instead of union.

A. The legislature may have a right to exclude from places of trust to which the appointment is with itself; but it has not a right to exclude from the *legislature*, for if it does this, it vitiates the source from which just legislation must proceed. If a number of merchants form a joint-stock company, they have a right to determine by a majority, if they can do so, that they will not employ a broker that is a Jew. But they have not a right to determine by a majority, that the Jews in the joint-stock shall have no votes, lest they should give them to a Jew. The first is a legitimate exercise of the power that must be in all majorities. The other is an effort to compass and preserve a majority, of the same nature as if an existing majority in the House of Commons should proceed to secure themselves, by voting that the minority be forthwith expelled the House.

The Roman Catholics do fully admit, that they shall lie under all manner of incapacities, which a legislature constituted upon principles of justice, shall see fit to lay upon them. But they assert, that there is no justice in excluding them from their share in that legislature; and that to confound the two things together, is a fraud.

A. The fallacy is in the word '*your*.' They are not '*your* affairs;' they are '*your's* and the other's together.' The intention is to argue in a circle,—'The affairs are '*our's*, and therefore we exclude *you*; we

‘of private life, not
‘to allow any man to
‘manage your affairs,
‘whose principles you
‘did not like; but the
‘exclusion of Dissen-
‘ters could be looked
‘upon as no punish-
‘ment.’—*Id.* p. 91.

This was the inter-
pretation of the treaty
by the Whigs of that
period; and what says
the Whig historian?
Bishop Burnet says—
‘And thus ended the
‘war of Ireland; and
‘with that our civil
‘war came to a final
‘end. The articles
‘of capitulation were

‘punctually executed, and some doubts that arose out of some
‘ambiguous words, were explained in favour of the Irish.’

I take, then, Sir, my meaning of the first article of the treaty of
Limerick from the interpretation put on it by King William III.—I
take it from the interpretation put on it by the Whigs of that time—
and I take it from the Whig historian; and by them all it is held to
mean, not political power or privileges, but freedom of religious
worship. On this ground, then,—on these authorities—on Whig
authorities, too—I feel myself bound to dissent from the assertions of
the honourable baronet who opened this question.—*Speech of Mr.*
Peel, March 5, 1827.—p. 105.

And my right ho-
nourable friend, the
Attorney General for
Ireland, (Plunkett)
appealed to the
House, as English
gentlemen, if the peo-
ple of England were,
like the Roman Ca-
tholics of Ireland, ex-
cluded from political

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‘exclude *you*, and therefore the affairs are
‘our’s.’

If the members of the House of Com-
mons chuse to determine that they will
not have a Dissenter for their Speaker, or
for chairman of a committee, they have a
right to do it, and nobody can hinder them.
But if by way of effecting this, they say
they will expel the Dissenters from the
House, it becomes quite another thing,
and every body knows what to think of it.

A. The Whigs of that day are the very
persons against whom suspicion lies, and
therefore the last whose evidence should
be brought in their own behalf. It is an
odd fallacy that would neutralize the
opinions of the friends of the Catholics
now, by the opinions of their enemies a
hundred and forty years ago, because both
happen to rejoice in the name of Whigs.

A. The monstrous and abominable doc-
trine, that the people of England would
think themselves justified in rising in arms,
if they were excluded from political power
like the Roman Catholics! But what
says history,—what says the evidence of
facts? That all the people of England
have of settled government, is founded on
the daily and hourly acknowledgment, that
they *are* justified in rising in arms to pre-

C.

power, if they would not rise in arms for the recovery of their rights, and if they would not think themselves *justified* in rising in arms (hear),

—aye, *justified* in the act of rising in arms against the laws; or, if they did not, if they would not think themselves unworthy of the name of Englishmen.

And, Sir, those gentlemen who advance these doctrines, which, above all, excite my apprehensions, do it, while they pronounce the exalted names, and profess to act on the principles of Mr. Pitt and Mr. Burke, who would have been the first to oppose such monstrous, such abominable doctrines—(cheers).—*Id.* p. 106.

‘With regard,’ Mr. Pitt said, ‘to the admission of Roman Catholics to franchises, to the elective franchise, or to any of those posts and offices which have been alluded to, I view all these points as distine-

tions to be given, not for the sake of the person and the individual who is to possess them, but for the sake of the public, for whose benefit they were created, and for whose advantage they are to be exercised. In all times, therefore, Sir, and upon every occasion, (continued Mr. Pitt,) whether relating to the Roman Catholic or Protestant Dissenter, to the people of Ireland, or to the people of England, I have always, from a due regard to the Constitution, been of opinion, that we are bound to consider, not merely what is desired by a part, but what is best and most advantageous for the whole.’ —*Id.* p. 108.

This,—(continued the right honourable Secretary,)—this, Sir, is the principle on which I support the exclusion of the Roman Catholics (cheering). I would not make the Roman Catholic faith, or the religious opinions of any man, a ground of exclusion against him merely on their account; but, Sir, I am bound to

vent their being excluded like the Catholics. If not, why do not the sentries move off from the Horse Guards, and send for the king of Sardinia?

A. Let the whole consider what is best for the whole; but do not drive out a part from their share in the debate. It is precisely the difference between a majority’s hearing a minority and deciding their own way after all,—and their obtaining their purpose by decreeing that the minority shall be expelled.

A. The passage put in Italics conveys a perfectly good reason for a Protestant member’s conducting himself in a certain manner *in an open parliament*; but not for commencing his operations by voting the Catholic minority out of the House.

consider, not only what they may suffer and what they may desire, but what will be good for the whole.—Id. p. 109.

I object, Sir, however, to the declaration contained in this petition, that it disagrees with the declaration sent forth by the Roman Catholic clergy. They state, that they publish it 'in the simplicity of truth, as the doctrines of the Catholic Church had been frequently misunderstood or misrepresented.' In the declaration published, in 1826, it is stated, that 'the Catholic Church, in common with all Christians, receives and respects the entire of the ten commandments, as they are found in Exodus and Deuteronomy; the only difference between them lying in some points of construction.' When I first read this passage, I exclaimed, 'Then I, and many other Protestants, have been long in error, for I have always understood that the Roman Catholics did not recognize the second commandment, but excluded it from their Catechism.'

But, Sir, it happened soon afterwards

A. There can be no mistake in believing, that this is an averment that the Roman Catholics 'do not recognize the second commandment, but exclude it from their Catechism,'—and that they have been guilty of 'insincerity and an attempt to mislead,' by their declaration that they 'in common with all Christians, receive and respect the entire of the ten commandments as they are found in Exodus and Deuteronomy.'

Now see what quantity of accuracy and research is displayed, in the charge thus brought forward by a minister of state, as a reason for excluding many millions of the community from the benefit of equal laws.

What the Church of England prints in *two* paragraphs, under the titles of the first and second commandments, the Catholics and Lutherans print in *one*, and call the first. And they do it, they say, 'because it all relates to one and the same thing,'—the 'graven things' being only an explanation of what is meant by 'strange gods;' and they assert that the authority for it is as old as St. Augustine.

What the Church of England prints in *one* paragraph, and calls the tenth commandment, the Catholics and Lutherans print in *two*, under the titles of the ninth and tenth. And they do it, they say, because one prohibits the desire to break the sixth commandment, and the other the seventh,—and because they consider this as a more feasible distinction than the other. It is true they disturb the order of the Hebrew; but they think their reason sufficient to authorize it.

The Catholics *have* no composition under the exclusive title of 'their Catechism,' as the Church of England has; but on the contrary a multitude of works, the

that a catechism of the Roman Catholic Church fell into my hands, and then I was able to appreciate the 'simplicity of truth' in which they had issued their declaration. This catechism, from which I am now about to read, is stated to have been revised by the Rev. Dr. Butler, and recommended by four Roman Catholic Archbishops; it is printed by the Roman Catholic printer to the Royal College of Maynooth, and is the twenty-fifth edition, carefully corrected. No doubt, Sir, therefore, can be attached to its authenticity. I turn to the Commandments, to correct my erroneous conceptions of the Roman Catholic system, and I find, that indeed the first Commandment is, in some respects, differently expressed,

as compared with its appearance in Exodus and Deuteronomy. The second is, 'Thou shalt not take the name of the Lord thy God in vain;' and the number ten is made out in this manner,—the ninth is, 'Thou shalt not covet thy neighbour's wife,' and the tenth, 'Thou shalt not covet thy neighbour's goods.' It would be infinitely better, Sir, and much more to my satisfaction, if my right honourable friend had not called my attention to this petition. And I cannot help regretting this additional proof of the incompatibility of the fact with the profession of the Roman Catholic Church, and that my first suspicion was correct, viz.—that these petitioners *did not* approach the House 'in the simplicity of truth.'

After this, Sir, let not my right honourable friend, for the future, challenge implicit confidence for any petition which he may present from that quarter. Whatever statements may accompany it, I shall

offspring of the zeal of different ecclesiastics, resembling in diversity of style and temperament, the elucidations of the Church of England's Catechism which are from time to time put forth by various divines. Some of these—amounting in the specimens collected to one in four—give only the heads of the commandments, on the ground of their being what are called 'short catechisms;' and in these, in consequence of the arrangement described, the words 'graven things' do not appear in sequence to the words 'strange gods.' But these shorter catechisms equally discuss the question of whether it is proper to 'pray to and serve images;' and even quote the remaining words of the commandment, though not in the precise place where the objector chuses to require them. &

Upon such *lana caprina* as this, a minister of state declares his conviction of the necessity of harnessing the six horses to the rear; and men in the capacity of legislators, if the report is correct, receive him with loud cheering.—'The established 'pea-green slipper,' is a reasonable cause of quarrel, compared with that of the Secretary for the Home Department.

regard them with suspicion. Their professed sentiments I, for one, must continue to contrast with their actual conduct : and in opposition to this sort of test, it is in vain to refer me to this or that letter from Dr. Doyle, or the declaration of Dr. Curtis, when some other letter, or some other declaration, from the same party, might be adduced, of a totally opposite character. They will never again mystify me. And I cannot avoid expressing my participation in that feeling of disgust, which insincerity and attempts to mislead always excite in the minds of the English people. (Loud cheering.)—*Id.* p. 125.

This, Sir, is the system upon which I have attempted to act with regard to Ireland. I have, on

all occasions, endeavoured to do justice, and to give them the advantage of every privilege to which they are admissible by law.—*Id.* p. 128.

A. Law is not justice ; it only ought to be. The very point in dispute is, whether the laws are just.

The right honourable Secretary, it is stated, ‘concluded amidst loud and enthusiastic cheering.’ So would he if he had spoken in favour of the Corn Laws, or any other of the vested interests. If it is within the province of a Review to criticise parliamentary oratory when it appears in print,—the eloquence of the Home Secretary may be characterized, as being the rhetoric of a picker of small holes,—a speech-maker upon *nauci, flocci, pili*,—an embalmer of other men’s blunders, with a sprinkling of his own,—a political *ci-devant jeune homme*, who has contrived to preserve the rawness, artifice, and insipidity, of what in the Pittite times was denominated ‘a promising young man in the House of Commons.’

One fact is beyond the possibility of doubt. The Protestants are put on their defence. They have been reluctantly placed in that situation—they are the parties accused—they are charged with every species of intolerance, of religious bigotry, of oppression ; and these charges are preferred against

A. Most people who are put on their defence, are reluctantly placed in that situation. And it ordinarily happens, because they are accused. As a lawyer, the Master of the Rolls might have spared the tautology.

What is bigotry ? What is intolerance ? What is oppression ?

Bigotry, is not the believing that one kind of religion is true and another is not ; or that one kind is better than another. This is the insidious sense ; palmed on the world for the sake of confounding the absence of bigotry with indifference. But

them by the Roman Catholic portion of the community and their advocates. — *Speech of Sir John Copley, March 5, 1827. -p. 133.*

bigotry is believing that we have a right to rob and injure those who differ from us in religion. It is the believing that difference in religious opinions removes the obligation of the moral rule, to 'do to others as we would they should do to us.'

Intolerance, is bigotry in action. The two things stand to one another in the relation of 'faith and works.'

Oppression, is every violence inflicted by a potential majority on the minority, which is not justified by the consideration of the common good. Dragging six horses out of twenty behind, is not for the common good; it therefore is oppression.

When it is said 'the Protestants' are put on their defence, it means the *dishonest* Protestants.* The black sheep have no right to hide themselves in the flock and say 'We are all mutton alike.'

What is it that the Roman Catholics of Ireland ask? Indeed, they do not condescend to ask, but in terms the most emphatic and peremptory—in the language of menace, they demand of us what they call the restoration of their rights — their unconditional restoration.—*Id. p. 151.*

A. It is not the Roman Catholics of Ireland that ask. It is the same part of the people of England; founding their claim on the dictates of common sense, and the plain rules of justice, which are always the rules of sound policy in the end. The truth will be told—THE PEOPLE OF ENGLAND ARE NOT WITH THE OPPRESSORS. They say they will not have a civil war in Ireland, for the sake of fattening those they do not want to be fat. The people on this side the water have not forgotten Jefferies and Kirke, and Lauderdale and Dalzell; and they will not see their rule restored in the Westland provinces.

The very whiskered dragoon at Ballinamore, said he did not like 'going out against the hill-folk.' It might do for Portugal, but it will not do for England, to have a gown-and-cassock war, lest a man should find his way to vote, that the emoluments of the rich church-men are five times greater than they ought to be. In the country of the beloved Ferdinand, men may be found to turn out for the priesthood; but the people of England will not fight in such a cause,—they positively are not fools enough. They will not go to war with the Irish, for the sake of what is to be got by oppressing them. To reduce the strength of undue power, is what they want themselves. Nine-tenths of the people of England have no voice or influence, directly or

indirectly, in the government; and the consequence is, they are made to keep the others. The whole manufacturing interest is made to keep the agricultural one, because it is cut off from its due share in the representation. What all these, therefore, as sensible men, are bound to say to the Irish, is 'You help us, and we help you.' The struggle for fairness of representation in Ireland, is only the cause of the people of England tried under Irish names; and they are waiting for the decision of this question, before they proceed to their own.

Who is it that ever profits by oppression? Is it not always a pitiful minority? And why are you and I and every body, to go to expense and suffering, for the sake of securing the profits of oppression to a pitiful minority? Will it comfort us under an invasion of the tax-gatherer,—or for a son or brother left buried in a bog in Ireland,—to hear that it was for the interest of the church establishment? Half the people in England dislike the church establishment; and three-fourths of the remainder care nothing about it. The people of England want to live and to let live; and have no notion of being hounded away to cut the throats of their brethren in a civil war, for the sake of preserving the Irish clergy from the danger of being asked unpleasant questions in parliament.

In the first place, Sir, about what subjects are we in the habit of consulting in Parliament? What says the King's writ under the authority of which the House is convened? We are summoned to consult on things and matters relating to the Constitution, and safety of the Protestant Church. By the measure now proposed, we are required to admit into the legislature of the country, assembled to deliberate upon matters connected with the safety of the Church of England, a body of Roman Catholics, directly hostile to that Church—men who, upon principle, must be hostile to it in every respect.—*Id.* p. 153.

Now, Sir, I will entreat the House to recollect—and it is with sincere regret that I do so—that

A. The Constitution, in the mouths of those who have any evil to defend, always means *existing wrongs*. It clearly means so here. The question is at once brought into a short compass,—Whether parliament assembles to discuss the interests of the community, or the interests of the Church of England and existing wrongs?

A. Arguments of this kind amount to an avowal, that the Church of England is unpopular, and cannot be supported but by confining the exercise of government to her friends;—that if the power of inter-

there are at the present moment, and have always been, many Protestant members of the House of Commons, who entertain views, and profess sentiments, of a nature hostile to

the Established Church of these realms. If, in addition to the lukewarm friends, and avowed opponents, we throw into the scale another weight—if we add to this body another mass,—knowing as we do, that both will act with the same spirit, and make one common cause, shall we, I ask, be discharging our duty to the Church, of which we are members, and which we have pledged ourselves and are bound to support?—*Id.* p. 155.

Let me pause for a moment, Sir, upon this part of the subject, and let me suppose that there are returned to this House some of those persons who exhibit in themselves specimens of some of those talents, which seem to be indigenous to Ireland—let me suppose some of the individuals of

that body to be desirous of overturning the Protestant Establishment, and of rearing in its stead the Roman Catholic religion in Ireland—let me suppose these persons possessed of talents, resembling in their extent and power those of my right honourable friend the Attorney General for Ireland, commanding and swaying the body they represent by their masterly eloquence and extraordinary powers, and directing that eloquence and those powers to the object to which I have referred. I ask, is this a light danger, and are we to treat it with contempt; or, are we not, to reserve in our own hands the most effectual means of defending ourselves from such a danger?—*Id.* p. 156.

With this mass of information, Sir, it will not be difficult to discover the exact effect which the Roman Catholic disabilities produce upon

ference were in the nation at large, she would be pulled down;—in other words, that the nation in the aggregate is her enemy. The policy of such avowals may be doubted; but those who call themselves her friends are answerable.

A. What is this but saying, that the Church of England has no chance of standing, except by preventing the talents of her opponents from having a hearing;—that half-a-dozen men in the House of Commons as clever as the Attorney General for Ireland, would talk her down in a twelve-month. Now if she is as rickety as this, what chance is there of her standing at all?—the scale is turned against her, and men will begin to take the rising side.

A. The way to discover the exact effect, is to see what the effect would be on the Protestant population of England, if they were put into the place of the Roman Catholics, and the Roman Catholics into theirs.

the Roman Catholic population; and I was greatly surprised to hear from such competent witnesses as Mr. O'Connell, Dr. Doyle, and Dr. Kelly, how very little the great body of the people is affected by the disqualifying laws. That the greatest wretchedness exists amongst them, is beyond doubt: that poverty, that want of employment, insubordination, distrust in all the established institutions of the country, fraud, perjury, and immorality, arising from that distrust, exist to a frightful extent, is beyond all doubt; but that Roman Catholic emancipation is the cure for these evils, or one which is regarded by the peasantry in any other light than the gratification of religious

bigotry, is what these gentlemen have not ventured to assert.—*Speech of George Robert Dawson, Esq. M.P. for Derry, April 19, 1825.*—p. 166.

But, Sir, when I consider the position of the two parties; when I consider the declarations which have been made, and the signs which have been given, I can never expect that the two parties will amalgamate together. The Protestants are in

The people of England would then not be long in finding out, that such an oppression had exactly the effect of the distinction of colours arising out of the existence of slavery in the West Indies;—that it penetrated into all ranks and relations of life;—that it met the rich in the enjoyment of his riches, and the poor in the endurance of his poverty;—and that to trifle about its removal not removing all ills and filling up all wants, is like urging that the abolition of negro slavery would not give every man of colour an annuity in the three per cents. Like the negroes, they would say, 'Take off the unjust distinction that presses on us like a red-hot iron; and then leave us to take care of ourselves. We do not ask you to remove our wretchedness, but our degradation. We come for justice, not for charity. We complain that we are slaves, not that we are paupers.'

When men 'distrust all the established institutions of their country,' there is but one inference,—that the institutions do them harm. To blame them for it, is as irrational as to blame them for complaining when a shoe pinches. It is the shoe, not the man, that wants altering.

A. It is admitted here distinctly, that the contest is for 'the possession of all that is valuable in Ireland,'—for 'the estates that, no matter whether rightly or wrongfully, have been wrested from the Roman Catholics,'—for the 'emolument and honour' arising out of 'the establishments of the country,'—for the 'splendid provision' of the church, and the 'station and power and influence' of the corporations. In short that the Pro-

possession of all that is valuable in Ireland; their estates, no matter whether rightly or wrongfully, have been wrested from the Roman Catholics.

The establishments of the country conferring emolument and honour, are all Protestant; the Church conferring a splendid provision upon its ministers, and the corporations giving station and power and influence to its members, are all Protestant, and have all, at no distant period, been in possession of Roman Catholics.—*Id.* p. 172.

Is it possible therefore to think, Sir, that all the solid advantages can be on one side, without exciting a hope of enjoyment on the other?

Can Protestants and Roman Catholics really unite together when such tempting objects are open to the Roman Catholics, and when a public clamour has already been begun against the Protestants? Will the Roman Catholic be satisfied to see every Protestant institution rolling in wealth and splendour, whilst his own are in poverty and distress? Will he submit to have his churches, his convents, his schools, his colleges, supported by alms, whilst his Protestant rival revels in the enjoyment of Roman Catholic possessions? Human nature for-

testants in Ireland have a great mass of occupation, which nobody pretends can bear looking into; and that to preserve them from the remote chance of such an accident, the people of England must enter into a civil war.

A. The upshot of all this is to ask, whether any set of men will be wronged if they can help it. The argument is founded entirely on the wrongs being palpable and notorious, and on the certainty that no man submits to a wrong longer than he is obliged to do it.

The answer of the English people to this must be, that they were not made to be bottle-holders to the Irish Protestants, in a struggle which is avowed to be unjust. That they will not let the Irish Protestants be trodden to pieces in the crowd; but will not be made a cat's-paw, to prevent a fair hearing of the case against them in the House of Commons.

What is it to the people of England, that an Irish Protestant shall 'revel in the enjoyment of Roman Catholic possessions,' and be able to oppress three out of four of all the men he meets? And why is an Englishman to pay in his purse or his person, for upholding such a state of things? Englishmen pay enough for upholding different kinds of slavery already. They pay upon every spoon-full of sugar they eat, for upholding the flogging of women in Jamaica; and there is no reason why they should pay for oppression in Ireland besides.

bids us to think so ; and I must do the Roman Catholics the justice to say, that they have been no hypocrites on this occasion, but have proclaimed boldly and naturally their expectations.—*Id.* . .

The object of the petition, my lords, couched in very decent and moderate terms, is, nevertheless, of great size and importance. It is no less than a request on the part of the Roman Catholics, to legislate for a Protestant country, to dispense the laws, to command the armies and navies, and to take share in the ex-

ecutive councils of a Protestant kingdom : a request that strikes at the principles of the Revolution, and by plain, broad, and inevitable consequences calls into question the justice and policy of the Act of Settlement.—*Speech of the Archbishop of Canterbury, May 13, 1805.*—p. 201.

I insist, my lords, that I am as sincerely attached to the genuine principles of toleration as any one of your lordships. I consider it as the brightest ornament and fairest grace of the Reformed Church which is established in this kingdom : but I cannot prevail upon myself to confound toleration with equality, much less with power and eventual superiority.—*Id.*

A. Their request is not to legislate, but to have their share in legislation ;—it is not in a Protestant country, but in a country that is part Protestant and part Catholic ;—it is not to dispense the laws, but to be a portion of the dispensers ;—it is not to command the armies and navies, but to have a share in the command where nobody objects that they shall fight. The fallacy throughout, is in confounding a demand for a just share, with a demand for the whole.

A. Nobody confounds toleration with equality ;—for the great question is, why there should be toleration and not equality. Toleration is the condescension of a prudent despot, who yields one half to secure the other. And the difficulty afloat in men's minds is, why there should be a despot at all ;—what reason can be given for it, that may not be given for the despotism of any collection of men who are able to overpower a traveller on the high road.

If, after every body is heard, the majority come to a determination that is disagreeable to the minority, there is no help for it but in the gradual developement of the truth, that all injustice is unprofitable in the end. But what is called for here is, that people shall suffer *and shall not be heard* ; and that the reason why they shall not be heard is, that if they were heard they would cease to suffer.

But, my lords, let us examine the meaning of those words, 'debarred of their civil,' or, as some have said, 'their natural rights.' Is there any

civil right which individual citizens may not be called upon to forego, if public expediency demands the sacrifice? Is not this a principle, which, in some shape or other, must be recognized under every imaginable form of civil government? — *Speech of the Bishop of Chester, May 17, 1825.*—p. 210.

It seems to me, my lords, I confess, to be as unjust, in the abstract, to exclude a man from the legislature for want of a certain amount of property, as it is, to hold him disqualified, on account of certain opinions which affect the integrity and security of the commonwealth.—*Id.*

The oath and declaration, my lords, which it is the object of these bills to repeal, were intended to exclude Roman Catholics from offices of trust and profit, because the principles of their

church were held to be inconsistent with the safety and tranquillity of the State. My lords, those principles are precisely the same now, as they were at the enactment of the oath and declaration; it is the boast of that church that they are so. Persons, therefore, professing those principles, are as inadmissible to offices of trust and profit now, as they were formerly.—*Speech of the Bishop of Salisbury. July 9, 1823.*—p. 226.

With my country-

A. The proof lies upon the 'if.' But what is attempted to be proved in this case, is only, that it is expedient for the church and the Irish Protestants.

A. Propping one rotten thing by another. Nobody believes that the exclusions from the legislature here appealed to, are any thing but the trick of one party to carry things their own way.

But besides this, there may be no justice in the comparison. The exclusion from parliament for want of property, may be one that very little affects the class professed to be excluded; or it may be one that in practice is evaded, and amounts to no exclusion at all. Make it as easy for a Catholic to get into parliament, as for a man who has not 300*l.* a year in land; and the Catholics will be content.

A. Bad logic, even without contesting any of the premises. For it omits the principal element, which is, whether ~~the~~ *times and circumstances* are such, as to make the exclusion, as necessary now, as at the enactment of the oath and declaration.

A. A[nd] oppressors, by their own story,

men, my lords, I most decidedly concur; but, at the same time, feel it necessary to stand forward as an advocate of emancipation, though not exactly for the description of persons who have been for so many years urging claims hostile to the Constitution, in no very qualified terms. No, my lords, those for whom I would claim this boon, are the Protestants of Ireland, who, I do not hesitate to affirm, are at this moment the most oppressed portion of the British subjects; in fact, they are a proscribed people; and if very strong measures are not adopted for their relief and security, all that are capable must leave the country, and we may expect to hear that the remainder have been annihilated in one way or another.—*Speech of Lord Lorton, February 23, 1827.*—p. 244.

‘Can your lordship, laying your hand on your breast, appeal to your conscience and honour, and then say that the Irish Church establishment requires no reform. It is impossible that you could, my lord, because it is monstrous to think of an annual income, amounting to several millions sterling, being appropriated in such a country as Ireland, to the main-

are an injured race. The West-Indian planters, if their own account of themselves be taken, are the most oppressed portion of the British subjects; and all the mischief arises from certain turbulent blacks, who will not lie still and be flogged.

Contrast this with the declaration on the same side by the member for Derry (p. 25 of this article), that ‘the Protestants are in possession of all that is valuable in Ireland,’—‘the establishments of the country conferring emolument and honour, are all Protestant,’—‘the Church conferring a splendid provision upon its ministers, and the corporations giving station and power and influence to its members, are all Protestant, and have all, at no distant period, been in possession of Roman Catholics.’ Contrast these, and say whether the allegation of suffering is any thing, but the outcry of men fearing to lose what they know they unjustly possess.

A. This is what the opponents of the Catholics are imprudent enough to allude to in their speeches. And here is the secret of what they call the oppression of the Protestants. They fear for the ‘costly Meat Establishment.’

‘But, how is this?’ I wondering cried;
As I walk’d that city fair and wide;
And saw in every marble street,
A row of beautiful butchers shops.
‘What means, for men, who don’t eat meat,
This grand display of loins and chops?
In vain I asked—’twas plain to see
That nobody dared to answer me.

MOORE’S *City of Hindostan.*

'tenance of the pastors of less than one-thirtieth part of the population; 'laying aside all notice of the laws by which this revenue is protected and collected, their partial nature, the mode of administering them, and the character of the agents by whom they are executed.'—*Extract from the Letter of Dr. Doyle, as quoted in the Speech of Lord Lorton.*—*Id.* p. 251.

Those who support the bill ask, 'What danger can be apprehended from a few

members?' Then a member likely to be returned is described as exceedingly limited

—*rari nantes in gurgite vasto.* But I

will remind the House, that twenty-four members may carry a great question.—*Speech of Sir C. Wetherell, March 23, 1821.*—p. 266.

Such is the opinion of every respectable writer on the subject

—with one exception

—I allude to Dr. Pacey, who observes, that Roman Catholics and Protestants may meet in Parliament in as friendly a manner as if they assembled

to discuss questions of history or philosophy. Now, I cannot conceive that Protestants and Roman Catholics could meet in Parliament in precisely the same way as if they assembled to form a *hortus siccus*, or to discuss some point relative to the natural history of birds, beasts, and fishes.—*Id.* p. 269.

Attempts, Sir, have already been made to invade the property of the Church, and particularly the possessions attached to it in Ireland. The honourable member for Montrose (Hume), whose activity would prevent him from

A. Twenty-four members can only carry a great question, when half the rest of the House, minus twenty-three, are on the same side. There is a perilous struggle between justice and injustice upon other points; and the Tories cannot stand the chance of what might be effected by twenty-four.

A. The Protestants and Roman Catholics cannot meet in a friendly manner, to discuss the means by which one of them may be oppressed. But they may meet to arrange all the just and desirable operations of government; one of the first characteristics of which is, that *nobody* shall be oppressed.

A. The Roman Catholic members of the House of Commons would be very likely to join Mr. Hume in 'effecting that system of reduction of which he is the advocate.' Which is a good reason why all who rob the public should try to prevent their entrance; and why every other man in England should desire it.

letting slip any advantage that may offer for effecting that system of reduction of which he is the advocate, would find his efforts countenanced and fortified by Roman Catholic members, who could not be expected to have any other feelings than those of hostility against the Church Establishment. It is impossible to foresee what might be the success of a renewal of those attempts which have been hitherto defeated, when they should be backed by the influence to which I allude.—*Speech of the Right Honourable Henry Goulburn, April 21, 1825.*—p. 278.

It may be asked, why should difference of religious opinions produce political discord? It is sufficient to answer, that it always has produced that effect—that it produces it at the present moment—and that until human nature is altered, and man, under the lights of the new philosophy, shall cease to be

a religious animal, it will probably continue to produce the same effect, and to be made (as it has been termed) a stepping-stone to ambition, and to the acquisition of political power.—*Speech of Sir John Nicholl, Feb. 3, 1812.*—p. 289.

Notwithstanding these misrepresentations, the great body [of the Irish] is attached to the empire, and not disposed to separate from Great

Britain, or to unite themselves to France; they promptly and gallantly enter our fleets and armies; pay, it is frequently asserted in this House, that they fight the battles of the country, even beyond their proportionate numbers.—*Id.*

The love of power is universal. The Protestants equally possess it. They have the ascendancy—they have it justly; not only by the laws of

A. Under the influence of philosophy—or in other words, of the love of common sense, as it has been operating from the beginning of things to the present hour—man has ceased to be a religious animal, in the meaning in which the term is here employed. He has ceased to be an animal disposed to quarrel and fight for religion;—in the same way that he has ceased to be disposed to quarrel and fight for property. He has found out that there is a better way for all parties,—justice.

A. But they call for an army of thirty thousand men in Ireland; which Englishmen pay for. It is here that the six horses are dragging to the rear.

A. Four men have no right to rob one because they are four. It may be a just reason why they should have four-fifths of the common stock; but, not why they should have it all.

The Protestants have a right to have a

the constitution, but as being four-fifths of the population of the empire.—*Id.* p. 294.

Perseverance, however, is threatened. Can the Roman Catholics suppose that, upon a subject so vitally important to the best interests of the nation, the legislature will be teased into acquiescence by importunity? still less, that it will be overawed by menace? certainly not. It is only by a reference to the reason and conviction of Parliament that they have any prospect of success to their application.—*Id.* 295.

The principle of the measure concedes the right of admissibility to every office in the country, as belonging to every person of every sect. This is a principle somewhat similar to that which is held by individuals who contend for the radical doctrines of universal suffrage and annual parliaments — doctrines which I am convinced my right honourable friend holds in utter detestation. — *Speech of*

majority in parliament; but not to oust the minority from parliament. It must be an extraordinary head that does not perceive the difference.

A. All good things come by perseverance. The Catholics know that the *fluxion* of public opinion is in their favour. They know that the people of England are coming over to their side, and finding out that themselves and the Catholics are suffering from the same source—an overbearing oligarchy, determined to keep what they have, and to have what they can. And therefore they reasonably persevere.

All justice comes by fear. It comes by the apprehension of what may happen if it is refused. It comes, in short, by prudence; and prudence is only fear looking through a high-power telescope. The friends of the Catholics wish to produce a conviction that it is *prudent*, to take off the six horses from the rear.

A. If the principle of the measure is as demonstrably sound as the principle of universal suffrage and annual parliaments, — there may be no saying in what *Apoc. Domini* men will arrive at the comprehension of it, but there is no doubt of their coming to it in the end. In truth the principles are one and the same; being only part of the general demonstration, that when all have suffrage, then and not till then, property of all kinds has its due influence. This is the 'Newtonian Theory' of politics; the most important, and the last. The present system is a shuffle to keep undue power in the hands of the landowners, that they may make the others keep them. When the manufacturing and commercial interests find out, that uni-

Mr. Banks, March 16, 1821.—p. 349. versal suffrage would make every man keep himself,—then comes the tug of war.

The objections to annual parliaments, every body knows, are like the reasoning of the boy that combed his hair once in seven years, and wondered how people bore it that combed it every day.

The enemies of justice have a great habit of supporting *infirmum per infirmius*. 'If you, Sir, believe *this* is an abuse and ought to be removed, you must believe *this other* is an abuse and ought to be removed,—which it is certain you must hold in utter detestation.'

What is a 'radical'? One that 'has the root of the matter in him.' One that knows his ills, and goes the way to remove them. The Whigs of 1688 were radicals; and so is every man that shuts his mouth to keep out lies.

In our days things are altered. The Whigs are nobody. They cry for the toy, and can do nothing with it when they get it. At all events they only stand for what they may count; and nobody expects of them any more. The theory of a government like ours is, that the friends of abuses shall hold the reins, and be made to drive whither they would not;—that it shall be Prospero with Caliban for his coachman. And there is no leek they will not eat if they are obliged to it; the only question is how to collect a force of opinion, that shall make them apply themselves to their meal.

There was no more probability of a Whig ministry removing the Test Act, than of their removing Mont Blanc. The only chance they have for office again is, if the Tories should find the battle going too sore for them, and put in the Whigs for a wool-sack to turn shot. Half the Whigs are become Radicals; and the other half are following as fast as they can. So that unless the Tories make haste, there will be nobody to try the experiment on.

When parliament grants concessions, we are only building up steps by which the Roman Catholics will endeavour to reach at greater im-

A. Will things as they are last for ever? If the 'grievance' is such that nobody will tolerate it when mended, how small is the chance of its being tolerated now.

munities. Can the right honourable gentleman imagine, that the exclusion from honours, distinctions, and offices, in which only a few of the Roman Catholic population can hope to participate, would have the effect of inflaming all Ireland, from one end to the other, and yet, that a system which touches their property—which affects that,

the slightest interference with which every man is alive to—would create no irritation of feeling? Would they take no step to remove what they must necessarily look on as a material grievance? Would they not consider it a great injury to be subjected to the maintenance of a church which they hold in abhorrence? If they would not, they must be men of a different description from those born in any other country. Does the right honourable gentleman believe, that this settlement can be fixed permanently—that it can be made to last for ever?—*Id.* p. 351.

In the next place, can such a change be desired by the Protestants who Dissent from the Established Church, after that casual bond is dissolved which recently united them with the Roman Catholics, in pursuit of an object which, so far as regards the Dissenters, no longer exists?—*Speeches upon the Roman Catholic Claims, by Charles Lord Colchester. June 10th, 1828.—p. 99.*

Gentlemen! The alliance between Popery and Liberalism is no new event. Every one of the measures which cost King James the 2nd his Crown, were measures taken in the names of liberty of

conscience, and the removal of political distinctions on account of religious differences; but, our ancestors knew that, while he talked of toleration, his ultimate aim was really persecution.—*Address to the Freeholders of the County of Kent, by Lord Bexley. October 25, 1828.*

Hear what a Protestant Dissenter says to his brethren; and judge what probability there is of their dancing as Lord Colchester may pipe.

But our rule of judgment is plain: persecution can never suppress

A. The Dissenters have shewn themselves honest men and wise—quite fit to be trusted in the streets without either a keeper or a police officer. Not an individual that was touched by the Test Act, has turned against the Catholics—or shown the common disposition of mankind, to kick down the ladder by which themselves have risen. The Dissenters know that the great security for the freedom of their respective sects, is in the freedom of every body else. They have very little apprehension from the Catholics; but they are desperately afraid of Lord Colchester and his fellows.

A. James the 2nd was the sag end of an old party in the government, whose well-known object was, to establish a Catholic ascendancy, by fair means or by foul. There is no such danger now. And therefore, what was a clear fraud in one case, may be nothing like it in the other.

error, nor advance truth. If a man's civil situation is made better by the belief of certain dogmas, or is made worse upon their denial,—you tempt him by a bribe, you intimidate him by a penalty. Both instances are of the very essence of persecution. Nothing is left to evidence: nothing rested on conviction. The Catholic is politically deprived on the sole account of speculative religious opinion. He is wrong: allow it: endeavour to undeceive his fallacies, to rectify his mistakes. By what weapons? by depressing his secular condition? by pointing at him as unworthy of confidence? Truth has no alliance with force, with proscription, with scorn. It only calls the power of reason and persuasion to its aid. This is the first principle of Protestant dissent. Not ignorant of such misery ourselves, we have learnt to rescue the miserable. Let the sentiments of men be most fanatical, they owe their account for them to God. If men do what is contrary to right, what is destructive to society, let the strong arm of the law punish them. But thoughts are not subjects, nor are theories crimes.'—*Letter on Catholic Emancipation, by the Rev. R. W. Hamilton, of Leeds*, p. 4.

'Seek peace, shun faction, preserve charity: but remember that every attempt to resist the liberty of others cannot be indifferent to you, must not find you neutral: it is a threatening demonstration against your own.'—p. 11.

This is one of the sufferers who have been dragged behind the carriage themselves, till like Sterne's negro girl, by feeling oppression they have learnt mercy. There is nothing to make men good Christians, like a community of suffering.

Among all the opponents of the Catholics, the feeblest are the interpreters of prophecy. All men find every body they hate, in the book of the Revelation. The Westminster Review would be a vial or a trumpet, if it could only make itself of sufficient magnitude in the eyes of its enemies. The Protestant discovers the man of sin to be the pope. The Catholic with equal assurance believes him to be heresy. And Mr. Thomas Parkin,* with as good shew of reason as the rest, declares him to be religious and civil despotism all over the earth. But waiving all question concerning the accuracy of their interpretation, how do the prophetic party in the House of Commons (for there is one) proceed to argue? They say they find it written, that the Catholics shall over-run the earth. And therefore they will vote against the Catholics relief. Now if they know that it is to be, what use is there in the way they take to hinder it?—and how do they know that the way they take, *may not be the very way in which the thing is to be brought about?* Suppose it should turn out, that oppression ends in giving the Catholics an

* An Exposure of Religious and Civil Despotism, in Observations on the Prophecies, &c., by Thomas Parkin.—Wightman and Cramp, 24, Paternoster Row. 1828.

ascendancy, as it has already for one period given it to the Protestants. In such a consummation, how would the interpreters of prophecy excuse themselves, for having despised that greater prophet who said to them 'Do unto others as ye would they should do unto you?' Why are their own constructions of the visions of Patmos, to supersede the plain declaration of the Teacher of Nazareth? Let us do justly; and let prophecy take care of itself. If the Protestants are to go to the wall, to the wall they will go; but it is clear that it is not written, that they are to escape it by the commission of injustice.

The cause of the Catholics and religious liberty, on the whole, is going forward as its best friends would wish. The only chance of its opponents seems to be in provoking some Catholic to tread on a Protestant's toe, and so superseding the danger of discussion by the din of war. To this end they may be expected to bend all their skill; and the Catholics on their part will be as zealous to prevent them. 'When one side wants nothing but to see the knave of clubs, it is hard if the other does not contrive to keep it in his hand. All moderate men in England sigh to see the game brought to an end. All moderate men in Ireland, sigh ten times more. The ten horns, and the little horn—are nothing in comparison of peace, and a Christian-like act of parliament. There has been mischief enough with these 'horned nowt' already; men want now to make trial of mercy instead of sacrifice, and to give up the dark glass of prophecy, for what it has pleased God to make the broad day-light of justice and common sense.

ART. II.—1. *Vermaking door M. Willem Bilderdyk.* Legacy. 1827.

2. *Gedichten van H. Tollens, Cz. Poems by H. Tollens.* 2 vols. Rotterdam. 1827.

3. *Feestliederen door Mr. I. Da Costa.* Feast Songs, by I. Da Costa. Amsterdam. 1828.

4. *Gedichten van Cornelis Loots.* 4 vols. Amsterdam. 1816.

THE intellectual, as well as the external world, is full of beauties which are often long hidden from the common eye. As every advance in the path of science leads to some novel wonder, so in the field of literature, at every new step we meet with agreeable evidence of high capacity and unexpected cultivation, and as our knowledge widens, so will our philanthropy. Taught to esteem, we soon learn to love, our fellow-men. Peace has dissipated innumerable noxious prejudices, has unveiled to us many excellencies which we never before

perceived, and explained away many defects which we had marvellously exaggerated, both in the moral and mental character of neighbours whom we are at last beginning to regard, not as enemies, but as brethren. While feelings of hostility, no longer fed by the selfishness, the falsehoods, and the malice of governments, have been gradually allowed to cool, a conviction has been rapidly and widely spreading, that every nation has a far deeper interest in the well-being of each and all, than it can possibly have in their distresses or downfall; and there is no arrangement of Providence more beautiful than that which makes selfishness a miserable miscalculation when it fancies it can erect itself highest upon ruins and desolation.

Amidst the many miseries that hostilities with the continent entail upon us islanders, one, and a very serious one, is that of excluding us, in a great measure, from all those contributions to our knowledge and to our enjoyment, which we might otherwise have been receiving from foreign lands. Literature, like commerce, best flourishes under the auspices of liberty; and the wider the expanse over which the inquirer can travel, the less likely is he to be betrayed by ignorance, or misguided by prejudice. In the intercourse which has existed between us and other nations in the last ten years (would it were far less restricted than it is!) more progress has been made, on the whole, than in the century which preceded them. Every day is making a real and positive addition to our intellectual store-houses. Foreign languages are more generally studied; foreign nations more closely observed; foreign comforts more easily accessible; out of the whole there is a considerable increase in our stock of pleasure. And this is the great concern with which we have to do.

Among the countries which ought to have a peculiar interest for us, Holland must occupy an eminent place. It is near—it is highly civilized, it has been the scene of great events, its government has been frequently changed, the spirit of the people is commercial, industrious, religious, like our own. It has got rid of many abuses which we retain: there is no church hierarchy, no tithes, no state religion, no persecution for opinions, in a word, no civil distinctions grounded on religious differences. It has lost the blessings of hereditary legislators, of privileged primogenitures; has no rotten boroughs, nor sinecure places, nor parson-justices. It can hardly be contended that the government of Holland is a fit model for imitation; the constitutional code of the Netherlands has given very insufficient guarantees for the public liberties, and it must at some time or other be modified to suit the improving state of opinion: yet it is some-

thing to see, at the cost of a voyage of four-and-twenty hours, the result of some of these speculations, or experiments, on government, which even honest people are sometimes wont to contemplate with such unbounded alarm.

But to discuss these is not our immediate object, which is rather to give some idea of the present state of one of the arts in Holland, from which fair deductions may be drawn as to the rest. A poetical Dutchman will indeed seem to many a sort of monstrous anomaly, so strong is the prejudice, which, were it tracked to its source, might be found to originate in the wide trowsets of some Flemish fishermen who now and then visit our coasts. Their grotesque apparel has caused them to be transferred to the toys, or the picture-books of children; and so from our youth up, an absurd and ludicrous association blends with the name of a Netherlander. We forget where Grotius and Erasmus, Scaliger and Boerhave, Rubens and Rembrandt, Vandyk and Dôuw, were born, and linger upon an old and vulgar prejudice, without the shadow of a meaning.

If any one will take the trouble of estimating the number of great men which Holland has produced in proportion to her population, he will be not a little surprised at the gross injustice which is done her by the general opinion. Our present inquiry must be narrowed to a very small part of the field of literature, and to a very short period of time. Poetry has been assiduously cultivated in the Netherlands, from the remotest epoch of their written history, in truth, all their earliest specimens of language are verse. At the beginning of the thirteenth century we find rhymed Chronicles; then follow the *sprekers*, or minstrels, who attended the courts of the great: in the fifteenth and sixteenth centuries the whole country swarmed with poetical rhetoricians, who deluged the land with their *euphisms*, till with the seventeenth a class of poets, really entitled to the name, began a series, which has continued almost unbroken to the present hour. Of these Hooft was formed in the schools of Italy, while Vondel has the merit of a very varied originality. Cats has engraved moral maxims on the minds of millions, and Decker gave to the social affections an eloquent and harmonious expression. In the middle of the last century a fatal blow was given to the national taste by bombastic imitations of the French school; but redemption was found, in the influence of a few eminent men, who gradually redeemed the poetry of Holland from degradation. There are some, lately dead, such as Feith and Borger, who are entitled to high praise, but our attention must now be confined to those who are yet in being.

Among them Bilderdijck is entitled to the first place. In one

of the strangest exhibitions of egotistical doggrel which ever appeared (it will be found in Allan Cunningham's *Anniversary* for '1829), Dr. Southey introduces Mr. Bilderdyk as a model of all excellencies, intellectual and moral. Bilderdyk is, in truth, a great writer, a man of genius, and his genius is of a high order. He has treated of an infinity of subjects; he has treated *some* wisely and well; he has treated *all* vigorously and eloquently. And yet Bilderdyk is a man who has neither won popular esteem, nor does he possess any considerable influence in his native land. The Laureat may easily learn why. He has written on all sides, and has in turn vituperated all persons. In the eighty volumes which his wonderful assiduity has produced, there are "Praises of Regicides," and "Visions of Judgment," "*Carmina Triumphalia*," and dramatised "Wat Tylers," "Epistles to Amos Cottle," and articles for the Quarterly Review. This is the secret, and in it the doctor may perhaps sympathize. Bilderdyk does not wear bay garlands, nor drink royal sack; he is a poor and neglected author. There are many excuses for his irritability, and some palliations for his inconsistencies. ✓

His literary industry is almost without example. His works follow one another more swiftly than criticism can follow them; his prolific muse brings forth half a dozen volumes at a birth. They are, in consequence, just such productions as might be expected from a man of great talents and great erudition; who has no space left him to think, or to combine his thoughts. He does not sit down, weighing and comparing, pausing and pondering, like one who deems that great consequences hang upon his cogitations; he is not as Milton was, engaged in the long and awful discipline of all his intellectual powers, purifying, informing, and elevating, in order to produce that which "the world will not willingly let die," but he restlessly flings out his hurried sketches, some full of truth, others full of paradox, others full of error; his crude and exaggerated conceptions too good to be despised, too bad to be admitted, come with the voice of authority, but obtain no recognition. His mind is full of floating and cumbrous materials, which he has no time to arrange to advantage, or to employ with effect. Thus he gives utterance to his primary impressions with infinite indifference; defends them afterwards with vehement pertinacity, and so gets entangled in literary wrangles to the end of the chapter, committing suicide upon his own reputation, and attaching all sorts of disagreeable associations to a name which might have been the honour and glory of his country. It might be a question, whether, on the whole, the influence of Bilderdyk in

Holland has been pernicious or useful. We believe it has been useful. To the Dutch language he has done great service; no one ever wielded it with such strength, no one ever drew forth its energies with such success. When the errors of his opinions are forgotten, his writings will be looked to, as the finest exemplifications of the vigour of his native tongue. In the present state of society, it might perhaps be shown, that the mischievous power which any one individual possesses, who cannot associate the arm of the civil authority with his mischievousness, is exceedingly small: if, like Sir Walter Scott, he can create an auditory of millions, he may, no doubt, cause many prejudices to linger, which would otherwise sooner pass away, but he can hardly create any new or influential prejudices, for the temper of the times is *inquiring*; there is a universal rebellion, or symptoms of rebellion where it has not broken out, against unsupported *dicta*. The fallacy which was inestimable half a century ago, will now hardly pass current at all. *Why?* and *because*, will be the great powers of the coming generation; the reasons, and not the reasoners, will be the influential things. Bilderdyk is a very indifferent philosopher—his weapons are vituperative. He can, he does, overwhelm his impugners with contumely; but there is no beauty which may not be so defaced, nothing bright, or true, or holy, which is not exposed to such attacks. Does this destroy our confidence in the ultimate and glorious triumph of good over evil? Far from it, for according to our understanding of it, the principle of good is precisely that which survives and towers over the discussions of time. They who take the most extravagant positions on one side, force the pendulum of opinion to equal elevations on the other. The re-action of absurdity upon itself is assured; the exaggerations of credulity produce the exaggerations of scepticism. Bilderdyk has drawn around him a small, but really illustrious band of young and ardent writers, while he has driven others further, much further, from him.

Time would fail, to take even a hasty glance at his numerous productions, though they would afford much and serious matter for thought and illustration; but the object of the present article is merely to give specimens of the writings of a few living poets of Holland, which will, as we hope, enable our readers fairly to judge of their merits.

Bilderdyk's ode to Beauty, beginning, "*Waar zyt ge o, kroost van d'ongeboren,*" has been very lately published for the first time. It portrays well his individual nature, and therefore we choose it. The language of the original is singularly energetic. It is full of glowing conceptions, while it

breathes pride and discontent. It sneers at philosophy and civilization, for so to sneer is the present temper of his mind. But we think its poetical beauties cannot be questioned.

‘ Child of the Unborn ! dost thou bend,
 From Him we in the day-beams see,
 Whose music with the breeze doth blend ?
 To feel thy presence is to be.
 Thou, our soul’s brightest effluence—thou
 Who in heaven’s light to earth dost bow,
 A spirit ’midst unspiritual clods,
 Beauty ! who bear’st the stamp profound
 Of Him, with all perfection crown’d,
 Thine image—thine alone—is God’s.

How is thine influence o’er us spread,
 That in thy smile we smile and play ?
 How art thou woven with life’s thread ?
 Thou consciousness of greatness ! say,
 Art thou a spirit of the breeze,
 Which our awakening vision sees,
 That grasps our hand, and pours a flood
 Of glory, and with thought more high
 Than mortal thoughts can magnify,
 Stirs with heaven’s warmth our icy blood ?

Thou dazzling, driving, despot, power,
 Mortality before thee kneels ;
 Thou wert not born in earthly hour,
 Whose breath the tomb with glory fills !
 No ! thee the Almighty’s hand did mould,
 Out of the morning-beams of gold
 Which burst on heaven, when earth was made—
 He plum’d, and He perfum’d thy wings,
 And bade thee brood o’er mortal things,
 And in thy smiles His smile convey’d.

How shall I catch a single ray,
 Thy glowing hand from nature wakes,
 Steal from the ether-waves of day,
 One of the notes thy world-harp shakes ?
 Escape that miserable joy,
 Which dust and self with darkness cloy,
 Fleeting and false, and like a bird,
 Cleave the air-path, and follow thee,
 Through thine own vast infinity,
 Where rolls the almighty’s thunder-word.

Perfect thy brightness in heaven's sphere,
Where thou dost vibrate, in the bliss
Of anthems ever echoing there !

That, *that* is life—not this—not this :
There in the holy, holy row,
And not on earth—so deep below,
Thy music unexpress'd may speak ;
Stay, shrouded in that holy place,
Enough that we have seen thy face,
And kiss'd the smiles upon thy cheek.

We stretch our eager hands to thee,
And for thine influence pray—in vain—
The burthen of mortality
Hath bent us 'neath its heavy chain—
And there are fetters forged by art,
And science cold hath chill'd the heart,
And wrapt thy godlike crown in night ;
On waxen wings they soar on high,
And when most distant deem thee nigh,
They quench thy torch, and dream of light.

They dare in their presumptuous pride,
They—miserable clods of clay !
Thy glorious influence to deride,
And laws to make, thy course to sway ;
They—senseless stones, and brainless things,
Would point thy course, unplume thy wings,
And lower thee to their littleness—
They—fools unblushing—vile and vain—
Would God—would truth—would thee constrain,
Their Midas' idols to caress.

See *there* the glory of the earth !
See *there*, how laurel wreaths are spread !
See the base souls in swinish mirth,
Worship the gold round Titan's head ;
They tyrants—will not crush—not they !
The despot gods of heathen-sway—
The imps that out of darkness start :
No ! these they raise—but stamp—if thou
To their vile bidding will not bow,
Their iron foot upon thy heart.

No ! proud provokers ! no ! unhush'd
My song shall flow—my voice shall sound—
And, till the world—till you—are crush'd,
Sing God—truth—beauty's hymns around ;
I will denounce your false pretence,
For holiness first eloquence ;

While, genuine beauty sits beside :
 Crawl in the mire, ye mushroom crews,
 Lo ! I am fed with heavenly dew
 That nourish spirits purified.

Child of the Unborn ! joy ! for thou
 Shonest in every heavenly flame,
 Breathest on all the winds that blow,
 While self-conviction speaks thy name :
 O let one glance of thine, illumine
 • The longing soul that bids thee come,
 And make me feel of heaven, like thee—
 • Shake from thy torch one blazing drop,
 And to my soul all heaven shall open,
 And I—dissolve in melody. !

Formed in the school of Bilderdyk—without some of his high excellencies—without his grasp of thought—his great erudition—and wonderful variety—Da Costa, in his early writings, gave promises which it is to be feared will never be realized. His productions have none of the ordinary defects of those of his master—they are all smooth and polished, without those irregularities which so often destroy the charm of Bilderdyk's compositions. Da Costa, full of the pride of his Jewish ancestry, was some years ago converted to the Christian faith. Intense emotions—profound and anxious studies—the struggles of doubts and fears—produced a state of mind, which then often gave vent to its mingled emotions, in language wonderfully eloquent and harmonious. Some of his religious out-pourings were translated at the time of their appearance, and excited much attention among our devout polemics. But Da Costa has now become the slave of a gloomy fanaticism, which dwells only among scenes of vice and misery, and anticipates nothing but the everlasting perdition of the majority of the human race. He sees around him neither light, nor truth, nor beauty—believes that the purposes of the Omnipotent father of light have been overshadowed or extinguished by the powers of darkness. Da Costa possessed at one time considerable influence in Holland. That influence has passed away, for he has gone even further than Bilderdyk in denouncing those innovations as *irreligious*, by which sufferings have been averted or science advanced. Vaccination, that admirable life-saving discovery, has been a great abomination in his eyes ; and we understand steam-navigation scarcely less so. One is almost disposed to doubt the honesty of instructed men, when they fall into these incredible puerilities ; but, believing Da Costa to be honest, we feel

no little sorrow in being compelled to sacrifice his intellect, in order to save his sincerity. The character of his poetry will be seen in this introduction to a Hymn on Providence. The hymn is in every respect inferior to the prelude.

‘ De harmony der schallende trompetten.

‘ When Homer fills his fierce war-trump of glory,
And wakes his mighty lyre’s harmonious word,
Whose soul but thrills enraptur’d at the story,
As thrill’d old Ilium’s ruins when they heard ?
Meonian Swan ! that shakes the soul, when loudly
Rushing—or melts the heart in strains sublime ;
Strong as the arm of Hector, lifted proudly,
Sweet as his widow’s tears, in watching-time.
Tho’ still thy strains song’s glorious crown inherit,
Tho’ age to age kneel lowly at thy shrine—
Yet, (O forgive me—venerable spirit !)
Thou leav’st a void within this heart of mine.
My country is the land of sunbeams—Heaven
Gave me no cradle in the lukewarm west ;
The glow of Libyan sands by hot winds driven,
Is like the thirst of song within my breast.
What is this fray to me—these battle-noises,
Of mortals led by weak divinities ?
I must hear higher notes and holier voices,
Not the mere clods of beauteous things—like these.
What are these perish’d vanities ideal
Of thee—old Grecian bard—and following throng ?
Heaven, heaven must wake the rapturous and the real,
The sanctified, the sacred, soul of song.
Can they do this, the fam’d Hellenic teachers,
Or Northern bards ? O, no ! ’tis not for them—
’Tis for the inspired—the God-anointed preachers—
The holy prophets of Jerusalem !
O privileg’d race ! sprung forth from chosen fathers,
The son of Jesse—and his fragrant name ;
Within my veins thy holy life-blood gathers,
And tracks the sacred source from whence it came.
Angelic Monarch’s son ! the great Proclaimer,
The great Interpreter of God’s decree ;
Herald at once of wrath ! and the Redeemer !
Announcing hopes—announcing agony.
The seraphs sing their ‘ *Holy, holy, holy,*’
Greeting the godhead on His awful throne ;
And earth repeats heaven’s song—tho’ far and lowly—
Pour’d ’midst the brightness of the dazzling One

By safety-girded angels—hallow'd singers,
 Yours is the spirit's spiritual melody ;
 'Touch now the sacred lyre with mortal fingers,
 Aspirers ! earth is gazing tremblingly.
 My heart springs up—its earthly bonds would sever,
 Upon the pulses of that hymn to mount ;
 My lips are damp with the pale blights of fever,
 And my hot blood grows stagnant at its fount.
 My father ! give me breath, and thought, and power,
 My heart shall heave with your pure hallow'd words ;
 Hear ! if ye hear, the loud-voic'd psalm shall shower
 From east to west its vibrating accords.
 Inspire—if ye inspire—the glad earth reeling
 With rapture—shall God's glory echo round ;
 And God-deniers low in ashes kneeling,
 Blend their subjected voices in the sound.
 O if my tongue can sing the Lord of ages,
 The Ruler—the Almighty—King of kings ;
 He who the flaming seraphim engages,
 His watchers—while he makes the clouds his wings.
 Spread—spread your pinions—spread your loftiest pinions
 Spirit of song for me—for me—in vain,
 To the low wretchedness of earth's dominions,
 I seek your heavenly, upward course, to rein.
 Wake lyre ! break forth ye strings !—let rapture's current,
 Soar, swell, surprise, gush, glow—thou heart be riven ;
 Pour, pour, the impassion'd, overflowing torrent,
 The hymns are hymns of heaven.'

Kinker is the great advocate in Holland of the Kantian philosophy, whose merits it will be time enough to discuss when its advocates have succeeded in making it intelligible. Every new commentator appears to make the matter worse, and to remove the period farther and farther off, when some distinct ideas will attach themselves to the vague and indefinite, though pompous and high-sounding words, in which this new system of metaphysics has wrapped itself. But Kinker, when he gets out of his mists, is a sound critic and an energetic poet, who often reminds us of some of the vigorous spirits of the time of the Commonwealth. In the following verses, which have many beauties, something will be seen of that vague philosophy of which we have spoken—some confusion of terms, but withal a tone of cheerfulness and hope, forming a remarkable contrast with the lugubrious and foreboding lamentations of men mis-named religionists.

‘ VIRTUE AND TRUTH.

‘ Het goede en ware heeft geen tooisels noodig.
 ‘ Goodness and truth require no decoration ;
 They in and through themselves are great and fair ;
 All ornament is supererogation,
 Giving false colourings and fictitious air.
 Beauty is virtue’s image, truth’s best light,
 Virtue and truth its representatives,
 ‘Tis the grand girdle that, with radiance bright,
 To both—in all that are—their lustre gives.
 To its sublime control all evil bows,
 Or sneaks away, subjected to its reign,
 O’er each defect, a garb of mystery throws,
 Or seeks her midnight nakedness agnain.
 Error must be the lot of mortal kind,
 But virtue, in life’s night, man’s guide may be ;
 For man’s dim eye, so weak—’tis almost blind—
 Scarce looks through mist-damps of mortality.
 Vain is endeavour !—true ; ‘but that endeavour,
 It goodness, truth, and virtue testifies,
 Struggles and fails, but fails through weakness ever,
 Yet, failing, pours out light on darken’d eyes. ☹
 Ye vainly dream, obscurers of the earth !
 That all is tending downwards to its fall ;
 Vain are your scoffs on manhood, and man’s worth,
 And that great tendency which governs all.
 In vain, with fading and offensive flowers,
 Ye hide the chains of mental tyranny :
 Th’ unhealthy spirit, lur’d to treacherous bowers,
 May joy in its free-chosen slavery, /
 Call what is incomplete, degenerate ;
 God’s children, bastards ; and its curses throw
 At all who bend not at its temple gate,
 Nor to night’s image kneel in worship low.
 We see in the unfinish’d, tottering, frail,
 A slowly, surely, sweetly-working leaven,
 And in the childish dreams of life’s low vale,
 The faint, but lovely shadowings-forth of heaven.
 We sink not, sacred ones ! but flutt’ring tend—
 Tho’ weak, we tend tow’rds God : the word we hear,
 Audibly, bidding us arise, and wend
 Our way above man’s feebleness and fear.
 An idle toil is slumb’ring man’s poor fate,
 And duty neither lovely looks, nor true ;
 God’s mandate seems despotic—desolnte
 His doings—and his voice terrific too.

Yet duty is but deeds of loveliness,
 And truth is power to make the pris'ner free ;
 And he whose self-forg'd chains his spirit press,
 No effort shall arouse from slavery.
 What's true and good demands no decoration ;
 It, in and through itself is great and fair.
 All ornament is supererogation,
 Giving false colouring and fictitious air.'

The popularity of Tollens may be judged of from the fact of the sale of ten thousand copies of the last edition, in three volumes, of his poetical works ; and when it is considered that not more than three millions of people speak the language in which they are written, his success will appear one of the most remarkable circumstances of modern literary history. He is really entitled to this distinction ; not that his compositions breathe that high and vigorous tone which characterizes the writings of Bilderdyk—not that he has those novel and often striking turns of thought, which often distinguish Kinkers—not that he has the peculiar Hebrew orientalism which gives so original a semblance to the lyrics of Da Costa—but he falls into none of their defects. He is the poet of unaffected feelings—of every-day life—of the affections and the passions which are in hourly exercise. In him there seems a constant emanation from a fresh and limpid spring of enthusiasm, trained and tempered, however, to an habitual sobriety. His poems are genial as the spring—quiet and bright as the sunny rays. His mind is in active sympathy with happiness, and his works reflect the image of a well-regulated and blissful mind. It would not be always easy to convey to Englishmen the agreeable sensations which Tollens produces in the minds of his countrymen. Perhaps he has a little too much of nationality ; but in a country like Holland—too weak to take a lead—too strong to follow very subserviently the guidance of others—one can hardly be surprised that the false virtue of patriotism takes a shape for which a stranger must find indulgence. There is some difficulty in selecting from his published writings any one poem which may bring home to the general mind the impressions that his writings have left upon ours. The following is a translation of an unpublished poem. We have had the advantage of hearing it from his own lips, recited with an emphasis which kindled his dark eyes into an Ausonian enthusiasm, and we shall not soon forget the impression it produced.

‘ SUMMER MORNING’S SONG.

‘ Ontwaakt, ontwaakt wie slaapt en droomt.

‘ Up, sleeper! dreamer! up; for now
There’s gold upon the mountain’s brow—
There’s light on forests, lakes, and meadows—
The dew-drops shipe on flow’ret bells—
The village clock of morning tells.
Up, men! out, cattle! for the dells
And dingles teem with shadows.

Up! out! o’er furrow and o’er field;
The claims of toil some moments yield
For morning’s bliss, and time is fleeter
Than thought—so out! ’tis dawning yet.
Why twilight’s lovely hour forget?
For sweet tho’ be the workman’s sweat,
The wand’rer’s sweat is sweeter.

Up! to the fields! thro’ shine and stour;
What hath the dull and drowsy hour
So blest as this?—the glad heart leaping
To hear morn’s early songs sublime;
See earth rejoicing in its prime:
The summer is the waking time,
The winter time for sleeping.

O fool! to sleep such hours away,
While blushing nature wakes to day,
On down, thro’ summer mornings snoring.
’Tis meet for thee, the winter long,
When snows fall fast and winds blow strong,
To waste the night amidst the throng,
Their vinous poisons pouring.

The very beast that crops the flow’r
Hath welcome for the dawning hour;
Aurora smiles!—her beck’nings claim thee.
Listen—look round—the chirp, the hum,
Song, low, and bleat—there’s nothing dumb—
All love, all life. Come! slumb’ers, come!
The meanest thing shall shame thee.

We come—we come—our wand’rings take
Thro’ dewy field, by misty lake,
And rugged paths, and woods pervaded,
By branches o’er, by flow’rs beneath,
Making earth od’rous with their breath;
Or thro’ the shadeless gold-gorze heath,
Or ’neath the poplar shaded.

Were we of feather or of fin,
 How blest, to dash the river in,
 Thread the rock-stream as it advances,
 Or, better, like the birds above,
 Rise to the greenest of the grove,
 And sing the matin song of love
 Amidst the highest branches. ✓

O, thus to revel, thus to range,
 I'll yield the counter, bank, or change;
 The business crowds, all peace destroying;
 The toil, with snow that roofs our brains;
 The seeds of care, which harvests pains;
 The wealth, for *more* which strives and strains,
 Still less and *less* enjoying.

O happy, who the city's noise
 Can quit for nature's quiet joys,
 Quit worldly sin and worldly sorrow;
 No more 'midst prison-walls abide,
 But, in God's temple, vast and wide,
 Pour praises ev'ry even tide,
 Ask mercies ev'ry morrow.

No seraph's flaming sword hath driv'n
 That man from Eden or from heav'n,
 From earth's sweet smiles and winning features;
 For him—by toils and troubles tost,
 By wealth and wearying cares engross'd—
 For him, a paradise is lost—
 But not for happy creatures.

Come—though a glance it may be—come,
 Enjoy, improve, then hurry home,
 For life's strong urgencies must bind us.
 Yet mourn not; morn shall wake anew,
 And we shall wake to bless it too.
 Homewards!—the herds that shake the dew
 We'll leave in peace behind us.

Loots has not much of classical cultivation, but he is a poet of considerable powers, both of conception and of expression. He has not however formed himself on a happy model. For a long time the poetry of Holland was oppressed by the prosaic and bombastic influence of the worst part of the French school—the school of mere artificial rhyming. A number of writers, of whom the most distinguished (Feitama) was infinitely contemptible, had degraded the poetical literature of the Netherlands. Of those who redeemed it from its melancholy fall, some were, to a great extent, the representatives of another

school—that of Germany ; which, though it has great merits of its own, was not adapted to the genius of the Dutch language, nor to the general tone of Dutch sentiment. Feith, an amiable man, and by no means a contemptible poet, may be considered as having opposed Teutonic to Gallic impressions ; but, agreeable as is his versification, he undoubtedly wanted power to be the founder of a new system—the creator of another era. He did something withal, and the united influence of many of his contemporaries did more. Among these was Helmers, who was in almost all respects, Feith's inferior, though he had the discernment to choose subjects eminently popular, and obtained in consequence an inordinate portion of reputation. Loots much resembles Helmers, but Loots has many merits which Helmers never possessed, and is altogether free from the overstrained and encumbered phraseology which weighs down the periods of the bard of *De Hollandsche Natie*. What Loots is, and what he is not, may be tolerably well estimated from his address “ to a Nightingale,” which, though not his master-piece, certainly represents him in his accustomed dress. ↓

‘ THE NIGHTINGALE.

‘ Zeg mij, zwevend orgelkeeltje !

‘ Soul of living music ! teach me,
 Teach me, floating thus along,
 Love-sick warbler ! come, and reach me,
 With the secrets of thy song.
 How thy beak, so sweetly trembling,
 On one note long-ling’ring tries—
 Or a thousand tones assembling,
 Pours the rush of harmonies.
 Or—when rising shrill and shriller,
 Other music dies away,
 Other songs grow still and stiller—
 Songster of the night and day !
 Till—all sunk to silence round thee—
 Not a whisper—not a word—
 Not a leaf-fall to confound thee—
 Breathless all—thou only heard—
 Tell me—thou who failest never,
 Minstrel of the songs of spring !
 Did the world see ages ever,
 When thy voice forgot to sing ?
 Is there in your woodland hist’ry,
 Any Homer whom ye read ?
 Has your music aught of myst’ry ?
 Has it measure, cliff, and creed ?

Have ye teachers—who instruct ye,
 Checking each ambitious strain ;
 • Learned parrots to conduct ye,
 When ye wander—back again ?
 Smiling at my dreams—P see thee—
 Nature—in her chainless will—
 Did not fetter thee—but free thee—
 Pour thy hymns of rapture still !
 Plum'd in pomp and pride prodigious,
 Lo ! the gaudy peacock, nears ;
 But his grating voice, so hideous,
 Shocks the soul, and grates the ears.
 • Finches may be train'd to follow
 Notes which dext'rous arts combine,
 But those notes sound vain and hollow,
 When compar'd, sweet bird ! with thine.
 Classic themes no longer courting,
 Ancient tongues I'll cast away,
 And with nightingales disporting,
 Sing the wild and woodland lay.'

It was not our purpose to give a complete picture of the living poets of the Netherlands, but merely to draw from the portfolios of some of those whom we think the most eminent among them, some scraps which may serve to illustrate the present state of the “divine art,” in a country so little removed, and so much forgotten. There are many Dutch poetical writers whose names ought scarcely to have been passed over. We would especially mention Staring van den Wildenbosch, Withuys, and Van Lennep. But if these had been disposed of, others would press upon our attention, and time and space would fail us. We shall often invite our readers hereafter to roam with us into foreign lands, and we hope to introduce them into good society, and to be more instrumental in diffusing respect for the human race, and in cultivating those kind and generous affections, out of which grow happiness, and virtue, and honour.

MS. 2.12.65

ART. III.—*Notions of the Americans, picked up by a Travelling Bachelor.* 2 vols. 8vo.

IF any country more than another presents phenomena of peculiar interest to the inhabitants of Great Britain, that country is the United States of North America. Its citizens went forth from amongst us—being moulded in the same form, —nurtured with the same prejudices—professing the same

religion—called by the same names, and speaking the same language—as ourselves. The progress of time, and the happy concurrence of events, put the power of self-government into their hands. How have they used it? What have they done? What institutions have they founded—they, among whom public opinion, had not to contend with the thousand impediments to its full influence, which in the old monarchies of Europe, press on every side?

On topics so attractive, we receive all authentic information with gratitude—for, strange to say, there is scarcely an instance of an English gentleman, properly qualified by previous education, who has visited the United States of America in order to give an impartial view of their political and moral situation—of their institutions and their laws. Yet if, as respects Ireland, which is so much nearer—so much more closely connected with us—the most incredible ignorance prevails—if inquiry properly conducted has not crossed the Irish channel—how should it be expected to have traversed the Atlantic? To the philosophical politician, no more attractive occupation can be presented, than the study of a people of English origin, who have successfully ventured on numerous constitutional experiments, which are now adopted as the *bases* of the free governments of the whole western hemisphere, and which have thus afforded to England the high distinction of imparting, through its offspring, the principles of political liberty to a large portion of the globe. Nor would such a study be without its practical object. It might be well to examine how far the variations made in our system by our transatlantic brethren are improvements; and, if it be determined that they are so, whether any of them are susceptible of adoption elsewhere, or whether they are all to be ascribed to a state of things peculiar to the American people.

The book which we have placed at the head of our article presents a great amount of information on the topics to which we have alluded; and, besides its statistical and political intelligence, from the numerous traits which it furnishes of domestic manners, and of the habits of social intercourse, is an extremely valuable addition to the scanty means heretofore possessed of acquiring a knowledge of the United States. Of the literary merit of Mr. Cooper's work, we cannot but remark, in passing, that the style is very bad. Inelegant and awkward sentences constantly occur, and sometimes the common rules of grammar are violated. The volumes are hastily—now and then intemperately—written. Mr. Cooper has been irritated—which no historian should be—by the injustice of those who impugn the

character of his countrymen and his country. There is nothing in this to justify his indignation. He may be well satisfied with the great and growing prosperity of America, and he knows that England has tens of thousands of citizens who look upon the improvement and happiness of their transatlantic brethren with hope and joy. His work is in the form of letters, and purports to be the production of a foreigner. Those portions of it which imply such an intimate acquaintance with the country, as readily to betray the national character of the writer, are given as the replies of an American to his European friend.

As it will be desirable to compress, in as short a compass as possible, what we have to say respecting the United States, we shall not follow Mr. Cooper in his perambulations through the Union; but, availing ourselves of the lights which his observations afford, as well as of such information as has been accessible from other sources, we shall endeavour to give a succinct view of the American system of government; pointing out, as far as we are able, the distinctions between the powers of the confederacy and of the separate states, and alluding to some matters of internal legislation, where great deviations have been made from the European model, which may be supposed to have an important influence on the political and social condition of the people. And we do this, because this portion of the machinery of government in the United States is little understood in this country. In the course of our article, we shall also advert to the general state of intelligence and refinement; topics on which Mr. Cooper is a high authority; and, before concluding our remarks, we shall make some references to the statistics of the United States, with a view of enabling our readers properly to appreciate their rank in the scale of nations.

Before examining their present constitutions it may be proper to premise, that the colonies now forming the United States, were settled at different times by emigrants, who, though they adopted the laws of the mother country in most cases, differed from one another in religion, as well as in the motives which induced them to abandon the comforts of civilized life. Each of the colonies had a separate provincial government, and the degree of power retained by the crown over them was extremely various. In some instances, the governor and council were named in England, in others the governor alone was derived from thence, while in the case of Rhode Island and Connecticut, the people enjoyed by charter so uncontrolled an independence in the regulations of their local concerns, that the revolution did not render necessary the slightest alteration in the forms of internal.

administration. One of these colonies, indeed, retains even to this day, the charter of Charles II, as its system of state government, and the other only parted with the royal charter for a constitution of its own making in 1818.

With distinct legislatures, and with such discrepancies in the sources from which their respective executives derived their authority, it needs hardly be observed, that each colony was wholly independent of every other. How little the government at home interfered with their internal concerns is sufficiently manifested by a reference to the alleged causes of the first resistance to the power of the parliament—the imposition of small stamp duties payable into the British Exchequer. While the separation from the mother country required no necessary change in the form of government of some of the colonies, the substitution in the others of a governor and council, or of a governor elected by the people for those of royal creation, was a very simple process; and as, after throwing off the superintending control of the king, they found their own influence greatly increased, it cannot be supposed that there was, among the leading men of the colonies, any disposition to part with more of the authority for which they were contending, than protection from foreign aggression demanded.

A revolution, however, could not have been effected by isolated efforts. The union of the forces of the several colonies was indispensable. The idea of a congress had been, indeed, partially acted on as early as 1722. One composed of deputies from all the eastern and middle colonies was held at Albany in 1754, with the approbation of the mother country, for the purpose of considering the best means of defending the provinces against the French, the then rulers of Canada, and their Indian allies. On this occasion a plan was proposed of a federal government, to embrace all the colonies from New Hampshire to Georgia inclusive, to consist of a general council of delegates, to be triennially chosen by the provincial assemblies, and a president general to be appointed by the crown. This system was not, however, relished either by the ministry at home, or by the colonies, and was never put into execution.

The first Congress held on account of the alleged grievances sustained from England, and which met at New York in 1765, maintained that the power of taxation resided solely in the colonial legislatures. The language adopted at the meeting of 1774 was still more decided, but it was in the ensuing year that the Congress assembled, which, on the 4th of July, 1776, declared the independence of the United States.

We have already remarked, on the separation from England,

the little power which had been either claimed or exercised by the British government was at once assumed by the individual states. The authority of Congress was at first wholly of a recommendatory character, and rested on the general conviction of the necessity of co-operation, rather than on any defined principles. But the importance of some understood compact was early felt; and even before the declaration of independence was formally made, a committee was appointed to prepare an act of confederation, which having been agreed to in Congress, and proposed to the several states for their ratification in 1777, was generally assented to by them in the course of the ensuing year.

This act was essentially a treaty between thirteen independent powers, for specific purposes; and it declared, that "each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this confederation expressly delegated to the United States in Congress assembled." The idea of an association of equal sovereignties was so fully persevered in, that each colony, without regard to its extent or population, had but one vote in the Congress; thus recognizing, as we apprehend, a very pernicious principle, and giving to the opinions of a minority, a power as great as to those of the majority.

The principal object of the league was, to act with energy for the common defence, and for this purpose a general treasury was established for the payment of the troops, and such national matters: Congress had no power to raise taxes, but was obliged to operate through the state authorities by whom the respective quotas, regulated according to the value of land in each province, were to be laid and levied. Even the land forces for the common defence were raised by the several states, and all officers, of and under the rank of colonel, were appointed by them.

Congress possessed the power of peace and war, of conducting the intercourse with foreign nations, of making treaties, of settling disputes between states, of agreeing upon the number of land and naval forces, and of making requisitions on the states for their quotas of troops. But the limitation of the powers of this superintending authority, and particularly the necessity of depending on the provincial legislatures to give force to its resolves, occasioned, even while the very existence of the nation was threatened by a powerful enemy, a degree of inaction which was very far from according with the pressing nature of the demands made by the general on the local governments. When fear from abroad had ceased, the whole confederacy was found inefficient for the promotion of the general interests of the several states. Each legislature made

its own regulations as to trade, and though all were bound by treaties with foreign powers, it was difficult, with merely authority to recommend, for the government of the Union to ensure their observance.

Without adverting to the expedients which were, from time to time, suggested to correct the most conspicuous difficulties of the system, we shall proceed to give an account of the Constitution which was adopted in 1787, and was carried into effect on 4th March, 1789.

The great distinction which exists between the present system, and that to which it was substituted is, that the federal government instead of being a confederation of the states, now acts, in those cases in which it possesses jurisdiction, directly on individuals without the intervention of any other authority. In matters not confided to it, the power remains as before, in the states respectively. Thus the American people are, though for different purposes, subject to the control of two governments, each of which is independent of the other, enacts its own laws, determines their applicability, and puts them into execution without reference to the co-ordinate jurisdiction.

If a subject fall within the cognizance of the state, the law respecting it must be passed by the local legislature, the judiciary authorities who interpret it are appointed under the sanction of the provincial constitution, as also the executive or ministerial officers who give effect to the decision of the court. So, on the other hand, should the matter appertain to the general government, Congress provides the law in the case, the United States Judiciary construe it, and it is enforced by persons deriving their authority from the federal power. Piracy and murder might be adduced as familiar instances, where the crimes being cognizable by different jurisdictions, would in no part of the investigation come before the same tribunals.

There are some civil cases in which it is competent to suitors to select the federal or state courts for the enforcement of their demands. Foreigners are allowed to bring ordinary claims, founded on contract, against citizens before the tribunals of the United States; and, the same privilege is given to citizens of one of the states of the Union against those of another, though in neither instance is the party aggrieved prevented from pursuing his demand in the provincial courts. In the imposition of internal taxes, the same subject may be levied on by both general and state authorities; but here no greater inconvenience can arise than results in England from making a house liable to the king's taxes, and to the parochial rates. In case of collision, the claims of the general government must first be satisfied.

It may also be remarked, that the government of the Union, though limited in its powers, is supreme within its sphere of action, and that it is provided by an amendment to the constitution, that the powers not delegated by that instrument to the United States, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

In all the relations of the United States with foreign powers, involving peace and war, commerce, and general questions, they act in their federal character, while, in most instances, their municipal concerns are regulated by twenty-four local legislatures. Some internal affairs, however, which, though belonging to the provinces, are of general concern, are placed under the government of the Union. Of this nature is the Post Office; and Congress have also power to give patent rights to inventors, and they are authorized to pass a general bankrupt law. The right to make laws to carry into execution the delegated powers vested in them is obviously necessary to the existence of the government, and is, moreover, provided for in express terms. The want of authority to lay and collect taxes for the common defence and general welfare of the Union, having been a source of the greatest embarrassment under the old confederacy, will be found at the head of the list of the enumerated cases in which Congress is empowered to legislate.

The distribution of powers between local and central administration is a very happy expedient for applying a free system of government to an extensive territory, and obviating those difficulties which led to the destruction of the republics of antiquity. In Greece and Rome, the political advantage derived from citizenship was confined, in a great degree, to the inhabitants of the capitals. After the introduction of the representative system, those at distance from the seat of government might be admitted to a participation in the legislation, but, in a great state, with the most zealous deputies, it would either be impracticable to procure attention to the interests of a remote province, or the general government would be harassed with petty details, and diverted from objects of paramount importance. By the plan pursued in the United States, the most distant districts have, equally with those in the neighbourhood of Washington, a government at hand, to which they have recourse for all the ordinary regulations affecting the minute interests of the different members of a community. It is to the provincial legislatures that application is made for roads and bridges, for enforcing the police of the country, and for the innumerable matters of local concern. On the other hand, the affairs committed to Congress, being of a nature to affect the interest of the

entire nation, are calculated to command the attention of the whole assembly.

It is not, however, to be supposed, that the system of the Americans is without any inconvenience from its complexity. From the adoption of the constitution, we find that the leading politicians were divided into two parties, one of which contended for a strict, the other for a liberal, interpretation of the powers of the general government. Their legislative proceedings show many warm discussions on questions of this nature. There are, however, means provided, to prevent either of the two co-ordinate sovereignties from leaving its proper sphere: this is done by giving to the judiciary a power which no where else, we believe, belongs to that department. Should Congress transgress its legitimate bounds, the citizen who is prosecuted for the violation of the law may defend himself on the ground of its unconstitutionality, and notwithstanding the act may have been passed in accordance with all the usual forms, should the court find that it contravened the constitution—the supreme law of the land—it would be pronounced void and of no effect. In the same way, state laws on matters respecting which Congress has exclusive jurisdiction, have been declared null.

But, important as it is to retain the general government within the exercise of its legitimate functions, great inconvenience might result from preventing those alterations being made in the fundamental laws, which the spirit of the age, or the varying circumstances of the country may require. To obviate all difficulties on this point, the constitution is, in its nature, made susceptible of suitable amendments. What the omnipotence of parliament here affects, is done in the United States by the concurrence of Congress and of the legislatures of a large portion of the states.

Our readers are aware that the president is the chief executive officer of the government, and that to him with a Senate and House of Representatives, the legislative power is confided.

The nature of the president's authority resembles that of the king; but there is this important distinction between their political characters. While in this country the ministers are alone responsible, the president of the United States is personally answerable for the measures of his government. He is in the habit, it is true, of calling to his council the heads of the different departments, but that has no effect on his relations to the public, nor can he even protect himself, by alleging an obedience to their advice. He has the nomination of most of the officers of state, but the consent of the Senate is required for their appointment. To make a treaty valid, two thirds of this

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body must agree, and war can only be declared by Congress. Though the president is called on to concur in the enactment of laws, he does not possess an absolute *veto*. Should he reject a bill, it may still become a statute, if two thirds of both houses are in favour of it.

The president is chosen once in four years, by electors named for the purpose in each state, who are equal in number to the senators and representatives united. These persons meet in the capitals of their respective states, and give their votes by ballot, which are counted by the president of the Senate, in the presence of the two houses, and if it appear, on putting together the votes of the several colleges, that one person has a majority of the whole number, he is chosen president; but, if it happen otherwise, the House of Representatives voting by states, not *per capita*, makes a selection from the three highest on the list.

The vice president is voted for in the electoral colleges, at the same time with the president; and in case no choice is then made, the Senate elects one of the two candidates who have received the greatest support. He presides in the Senate, and supplies the place of the president of the United States in case of his death, during the term; but the vice president is, in ordinary circumstances, a public officer of no great political importance.

The Legislature consists of two bodies, the Senate and House of Representatives. The members of the former are chosen for six years, but are so classified, that one third part go out every two years. They are appointed by the legislatures of the several states, each being entitled to two senators, without reference to its population.

The members of the House of Representatives are elected for two years, by the citizens of the several states entitled to vote for the most numerous branch of the local legislatures. The representatives are apportioned among the states according to their population, and by the present arrangement, the number for the different states varies from one to thirty-five. The only deviation from the strict rule of population, determining representation, is to be found in the provision which excludes Indians not taxed, and adds to the enumeration of the free inhabitants, three fifths of all other persons (slaves).

The judges of the Supreme Court of the United States hold their places during life, and though they possess the high authority to which we have referred, of annulling a law, by declaring it unconstitutional, they are named by the president and Senate in the same manner as other officers.

So completely is the separation between the different powers

kept up, that the constitution contains a provision, that "no person holding any office under the United States shall be a member of either House of Congress, during his continuance in office." The inconvenience which might be supposed to result from not having ministers in the legislature to defend the measures of administration is practically obviated by the course pursued at the commencement of each Congress, of appointing several standing committees to whom the different parts of the president's message is referred. Such other subjects as may present themselves during the session are either submitted to these regular committees, or to special ones named for the occasion. It is understood, that the chairman of each of these bureaux is to defend the reports emanating from his committee, and to give such explanations, which it is previously his duty to obtain from the government, as may enable the House to act appropriately on the propositions brought before it. Instead of putting questions to be answered, as in the House of Commons, *vivâ voce*; the course is, to call on the president, or one of the heads of departments, for the desired facts, which are communicated by a written report. In the act establishing the treasury department, the secretary is directed to afford information to either branch of the legislature in person, or in writing, as he may be required. A personal interrogation would virtually give to this officer, the privilege accorded in the French chambers to the ministers who are not members; but it is understood never to have been adopted in practice in the United States.

The provincial constitutions are all different, for as the people at large determined what powers should be accorded to the government of the Union, so each state has prescribed the manner in which it pleases to have its internal administration regulated, as well as the extent of authority which it deems necessary to confide to its local rulers. The only restraint on the unlimited freedom of the inhabitants to decide for themselves on this matter, is to be found in the provision in the Federal Constitution, that the United States shall guarantee to every state, a republican form of government.

But, though there is no concurrence in the particular details of the systems established by the several states, they agree with one another and with the Constitution of the Union in the general distribution of powers. The governors are elected more frequently than the president, in most cases, annually or biennially. They are in some states chosen by the legislature, in others by the people at large. The lower house of the legislatures, except in one instance, are elected annually, and the term of service of the councillors or senators, differs from one to four years.

The qualifications of the electors are very various. In the eastern and middle states they are so small as to amount almost to universal suffrage ; paupers and criminals being alone excluded. Voting by ballot very generally prevails in the election of members of the state legislature, and, by necessary consequence, of representatives in Congress. As this subject has recently been discussed in parliament, we have made particular inquiries as to the inconveniences with which the mode is supposed to be attended. The result of our investigation is, that nothing is more perfectly simple, and that in many large towns, where several thousand votes have been taken in a single day, there has been a perfect agreement between the number of ballots deposited in the boxes, and of the electors, thus negating all apprehension of the introduction of fraud.

The provincial judges are generally appointed during good behaviour, though in some cases only for a term of years. In Rhode Island the provision of the ancient charter is retained, which requires an annual election. In New York the judges are incapacitated at sixty, and in Connecticut at seventy.

On a subject which enters largely into the institutions of all other countries we find but a single sentence in the constitution of the United States, and that provides, that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." No power is, however, withdrawn by this article from the state legislatures, and the matter remains to be regulated by them respectively. But, the principle of the general confederation is found more or less developed in all the provincial constitutions, and, notwithstanding the persecutions which some of the early fugitives from intolerance at home exercised on their establishment in America, their descendants seem to have vied with one another in efforts to make religious and political equality march hand in hand. It was the dying boast of an illustrious statesman, the ex-president Jefferson, that he had contributed to both these great objects ; ordering to be inscribed on his tomb, "The Author of the Declaration of Independence, and of the Statutes of Virginia, for Religious Freedom."

In some instances, as in New Jersey and North Carolina, the constitutions only contemplate the admissibility of Protestants to public offices ; but, as we find that these instruments are dated "in the year of the Independence," we are induced to attribute the clauses in question to the deference at that time felt for the institutions of the mother country. That they have not been altered, as the law of Maryland imposing disabilities on the Jews was a few years since, is probably owing to there being few

Catholics in these states, and consequently the practical grievance is small. Were it great it would be remedied. Two or three other states oblige every individual to contribute to the support of the ministers of religion, but they leave it optional with him to select any church within the parish or district to which the tax shall be applied. The cases stated comprise, as far as we can learn from an attentive examination of the several constitutions, all the instances which can be considered as calculated to impose restraints in matters of divine worship, and these, probably, only need be pointed out, in order to be obliterated from the Statute-books.

It would be a very erroneous conclusion, were it inferred from what has been said, that the people of the United States are inattentive to religious observances. The fact is directly the reverse, and so rigid are they in abstaining from all occupation and amusements on Sundays, and in the frequenting of places of public worship, that we have been informed by English travellers, that while passing through some parts of America, they conceived themselves carried back to the age of the Puritans. We have not only the authority of Mr. Cooper for the fact, but we learn from other sources, that in no other country are the working clergy so well paid as in the United States. There are no rich livings, like those of Durham, but, on the other hand, none of the ministers of religion are subjected to the miserable penury of the Welsh curates. We are told that in those denominations, where previous acquirements in the clergy are deemed necessary, the salaries equal the ordinary incomes of members of the professions of law and medicine, of the same or even superior abilities; while the relative consideration which priests enjoy in the community is generally much more elevated. Among the Baptists and Methodists, where a high degree of education is not demanded, the compensation is, on the true principles of political economy, proportionably smaller.

There are in certain parts of the Union, lands which were given to the Episcopal Church anterior to the Revolution; and which, in these particular cases, render parochial contributions unnecessary; and reference has already been made to the legal provisions for the maintenance of religion, which exist in two or three of the states. But the clergy of the United States are almost uniformly supported by assessments, voluntary so far as the law is concerned, but which public opinion renders in no small degree obligatory. In the same manner, the expense of erecting churches is provided. Society, throughout America, like the provincial constitutions, which have been noticed, expects every

man to attach himself to some church, though it leaves him the option of his faith. Congregations of every denomination are recognized so far as to be made corporations or bodies politic, for holding property and managing their other temporal concerns. In some states special laws, in each individual case, are required, while in others there are general enactments, like the *Sociétés anonymes* of the French commercial system, of which all may take advantage.

The Americans, as a reference to their history would lead us to imagine, are distributed into all the different sects which are to be found on this side of the Atlantic. The most numerous, particularly in the eastern states, are the Congregationalists or Independents, who in Massachusetts are supposed to be equally divided between Unitarians and Calvinists, while in the other New England provinces the latter creed predominates. Mr. Cooper computes the Congregationalists and Presbyterians together, at three thousand congregations, and the Baptists at two thousand. The Methodists he considers next in number. He observes, that it appears from their own documents, that the Episcopalians (of the Church of England) have ten bishops, and three hundred and ninety-four clergymen. These bishops have, of course, no jurisdiction, except in matters of religion, and this is confined to persons of their own faith, who voluntarily subject themselves to it. There are, also, Quakers, Lutherans, Moravians, and some distinctions unknown to England.

The Catholics are to be found in Maryland, Florida, Louisiana, and as emigrants, especially from Ireland, in the large cities. It would not seem, whatever might have been the case at any early period, that they are now viewed with much dread by their heretical brethren. In speaking of the organization of Congress, it is right to mention, that from the newly-settled districts, which were not sufficiently populous to be admitted as states, delegates, having the right of discussion, but not of voting, are received. We know that in Michigan, a section of country thus situated, a Catholic priest was a short time since elected a delegate, though nine tenths of his constituents were undoubtedly Protestants, and the office in question was contended for by some of the most important individuals in the territory. No stronger proof than this anecdote furnishes of religious equality in the United States needs, we conceive, be adduced.

Another regulation, which, though not peculiar to America, is calculated strongly to affect her political and social condition, is the abolition of the right of primogeniture. The system here adopted, like that in relation to religion, depends on state

enactment; but throughout the Union there has been the greatest accordance on this subject. Distinct statutes, emanating from all the different states, have put an end to entails, and moreover provided, that, where a man dies intestate, leaving several children, the property shall be apportioned equally among them. There is not, as in France, a compulsory division of land, but every person is allowed to make by will such disposition of his property, as he thinks proper. Public opinion, however, agrees so fully with the law, that few instances occur where material distinctions are made between different members of a family. As this system effectually prevents the accumulation of great estates—the germs of a future nobility—no better plan could be conceived to perpetuate republican institutions. It is, indeed, a practical agrarian law, and affords a most conclusive reply to the crude opinions of those, who, forgetting that the feudal system is of old date, and political equality of recent introduction, venture to assert that America must in the natural course of events, be *blessed* with the monarchy and aristocracy of Europe.

The inconveniences from the subdivision of farms, which a class of economists have so strongly deprecated, are, at all events, not to be apprehended in America at any early period. The immense districts of the west must be filled before the Malthusian theory is fully developed. In the eastern states, where alone the population is at all dense, we understand that there has been for the last century, little or no diminution in the size of the farms. The relations of landlord and tenant, as they exist in this country, are scarcely known in any part of the Union; and, except where slave-labour is employed, the land is generally held, as in Switzerland, by small proprietors, who cultivate their own estates. The usual course, on the death of a farmer, is for one of his sons, most commonly the elder, to take the real property, yielding to his brothers and sisters the other effects, and giving them mortgages on the family estate, for such amounts as may serve to place all on an equality. The younger members of the family thus provided for, either engage in commerce or mechanical pursuits, or emigrate to the rich and virgin soil of the new States, where they usually soon outstrip the elder branch in the race of prosperity.

Besides what has been done in the two important matters of religion and primogeniture, great changes have been made in the common law and statutes of England, which, so far as they were in their nature applicable, formed the foundation of the jurisprudence of all the states, except Louisiana. But, as no two provinces agree entirely in the extent of their modifications, it is not possible to point them out with any accuracy.

A minute classification of crimes is understood to have been made by most of the legislatures, and the punishment of death is seldom or never inflicted by state authority; except for murder or arson of a dwelling house. The practice of having criminal prosecutors, whose business it is to bring cases of the violation of the laws before grand juries, and to manage them in the subsequent stages, very generally prevails, to the great relief of the persons injured, who have, according to our system, besides the losses sustained, the additional burthen of convicting the malefactors. The party arraigned is always allowed counsel; and they, in case of his inability to procure them, are assigned by the court.

Very much has been done to simplify the civil procedure, and the spirit of codification begins to manifest itself in various parts of the Union. Besides what has been effected in Louisiana, where the civil law prevails, we have recently had put into our hands, several reports from commissioners appointed to revise the laws of New York, who have been for two or three years sedulously employed in digesting, after the form of the French codes, the whole body of the statutes of that state.

We here cannot refrain from expressing our surprise, that while the opinions of profound philosophers like Mr. Bentham are rejected on the alleged ground that they are only theoretical, no curiosity should be felt to ascertain what has been practically done by the Americans towards reforming a system of law, which they have in common with us. It does appear extraordinary that parliament should, with only conjectural motives as to the effect of the changes proposed, continue year after year prologuing discussions about the impossibility of abridging some antiquated form, which has been dispensed with, without the slightest inconvenience, by our transatlantic brethren, for the last half century. We cannot but recommend to the newly-constituted legal commissions, to extend their inquiries to America, and we venture to assert, that no proposition for reform, *which they are likely to entertain*, will be made to them, of which the experiment has not been there tried, either successfully or otherwise. Not that enough has been done in the United States to satisfy the public interests. Nothing short of a complete and accessible *Code*, founded on an all-comprehensive and philosophical view of the whole field of law, will answer the ends of justice; but it is well that inquiry is roused into activity among our American friends.

As to chancery jurisdiction, the rule is not uniform throughout the different states. New York, and some others, preserve the full distinction between the administration of common-law

and equity. Others observe the separation in practice, but attribute the two functions to the same judges, sitting as different courts; while in a third class of states there is no equity jurisdiction, but its principles are more or less applied by the common-law tribunals.

The Supreme Court of the United States, when sitting as a court of common-law or equity, proceeds in all cases not specially provided for, according to the practice of the King's Bench, or of the high court of Chancery of England; and the subordinate courts of the Union adopt the practice of the tribunals of the states where they are held. The judicial power, when extending to cases of maritime and admiralty jurisdiction, which are subjects exclusively under the cognizance of the general government, adopts the rules and principles applicable at Doctors' Commons.

The political institutions of the United States, and particularly the extended right of suffrage which generally prevails, suppose a high degree of intelligence in the mass of the community. The New England states and New York have made the most liberal provisions for the instruction of the people. It appears from a note in Mr. Cooper's book, that there were in the last-mentioned state in 1825, without including six hundred and fifty-six schools from which no returns were made, seven thousand seven hundred and seventy-three common schools, which were supported wholly or in part by the public, and attended by four hundred and twenty-five thousand scholars.

Besides the means afforded for the lowest elements of education, the state of New York has a fund, which has contributed largely to classical schools, and endowments to no inconsiderable extent have been made to colleges: Other provinces have been equally munificent, and Congress, in authorising the admission of new states into the Union, has made to them distinct appropriations of public lands for common schools, and for the establishment of colleges.

The system pursued in the higher seminaries has been borrowed from this country. At the Revolution there were half a dozen colleges or universities, but so many have been subsequently established, that nearly every state has at least one within its limits, and some states have several. They are attended by from thirty to four hundred and fifty students. The extent of instruction is various, depending, in a great degree, on the part of the country where the institution is placed, and on the demand that exists there for an education more or less finished. On the whole, the attainments of the

graduates may be considered fully equal to those of the young men who leave the Scotch Universities, and, in many cases, the standard of scholarship is much higher. As far, however, as we can judge at this distance, we should doubt whether the selection of studies is very judicious. Having reference to the future pursuits of the students, we should think that, to a vast majority, the modern languages, which appear to be wholly neglected, would be more useful than the ancient, which seem to form a prominent part of every American academical course.

Medical institutions are established in various parts of the Union; and it is well known that a large number of young American physicians are constantly to be found completing their professional education in the schools of Paris and Germany. We are told that foreign travel is now deemed by the gentlemen of the United States quite an essential accomplishment; and it has been often remarked, that both in Italy and other parts of the continent, after the English, the names of the Americans most frequently occur in the registers of the police, where all strangers are obliged to inscribe themselves. The number of newspapers, of which a list, amounting to eight hundred and forty, is now before us, is no slight proof of the diffusion of general information in the United States. Most of them are weekly, and published at only eight shillings (*i. e.*, two dollars) a year. There are seven thousand six hundred and seventeen post offices, and the mail is conveyed over ninety-nine thousand one hundred and thirty-four miles of post road.

From what has been already said, some idea may be formed respecting the state of society in America. While on the other hand it is just to conclude that, owing to the division of estates, and the consequent absence of large fortunes, the luxury and high refinement of the European aristocracy must be comparatively rare, nothing can be more unphilosophical than to infer from the political equality of the citizens of the United States that no distinctions prevail in social intercourse. As well might the same result be ascribed to our equality of *civil* rights; or it might with as much propriety be asserted, that Hunt or Cobbett, were he elected to Parliament, would be entitled to demand admission to the tables of his aristocratic colleagues. From the nature of things, manners, education, and wealth, must create classes in society. We should not, indeed, be incredulous, were we told that there were in New York or Philadelphia "ladies patronesses," who exercise the same sovereign sway in their sphere, as the distinguished personages that preside at "Almack's" enjoy in the *haut ton* of London. While distinctions of this nature have no other than a conventional sanc-

tion, we know not how the most scrupulous republican can object to them. To compel persons of uncongenial habits and tastes to associate together, or to prevent those meeting who find pleasure in one another's society, would be tyrannical infringements on individual liberty. Let the many be invested with the efficient powers of government, and they will take care that the influence of the few shall not be mischievous.

This part of our article cannot with propriety be closed without some reference to the negroes, who, including the free blacks, form one-seventh part of the population of the United States. We do not shut our eyes to the difficulties of the slave-emancipating question; but we think the slave-holding states have not done what might fairly be expected from them, in order to bring about a gradual melioration of the black race. The slaves are chiefly to be found in the southern and south-western states, where the culture is similar to that of our West-India islands. The free blacks are employed in the eastern and middle sections of the Union, as domestic servants or agricultural labourers. There are not many of them educated to mechanical pursuits, and scarcely any instances are to be found of their rising to more elevated avocations. The recent augmentation of the American tariff on imports will probably lead to the extensive employment of slaves as well as of free blacks in manufactures. Several experiments have been recently made, where this species of labour has fully succeeded.

Of the objections to negro slavery many—we wish we could say the whole—of the people of the United States, seem duly sensible, but there are many of the same impediments to its abolition in the southern states, arising both from the rights of the proprietors and the moral condition of the blacks, as we have to encounter in our West-India possessions. In the northern and middle states, where the numbers were never very great, a system of gradual emancipation was many years since adopted, which, by giving freedom at a certain age to the children born after a given date, has put an end to slavery in those districts. The free blacks are not however any where on a footing of social equality with the whites, and in some states they are not admitted to an entire participation of political privileges. This inferiority, without adverting to physical causes, may be ascribed to the degraded condition in which the negroes have been placed for generations, the effect of which, neither as regards the whites or the negroes themselves, can be expected to cease simultaneously with the causes that produced it. Time, after ages of vassalage, is required to enable the negro to vindicate his claim to the dignity of a free man,

though it is clear he cannot possess the sentiment of freedom, until he is educated in the school of freedom. Should the plan to which we have alluded, of engaging slaves in manufactures be carried largely into effect, an excellent opportunity will be afforded of improving, by an employment demanding more capacity than ordinary field labour, the condition of this people, so that when freedom is accorded to them they may be capable of becoming valuable members of society. Should prejudices continue to present barriers to their success in the land in which they were educated, they may convey their skill and enterprise to Hayti or the new republics of Spanish America, where they will encounter little inconvenience from their tawny hue, and to the population of which countries they may prove valuable acquisitions.

But we must say, and we are sure our American brethren will be aware that we speak to them not in anger, but in sorrow—that the taint of black slavery is the plague-spot upon their social condition. Much—very much is hoped-for from them among those who take a pride in their well-being, and who look to their well-doing with fraternal interest. We would not have them retort upon us, that our colonists are slave-holders too, and that the slaves of the West Indies are less privileged than theirs. Recrimination is not the sort of argument honest men should use. They must get rid of slavery altogether: it dishonours—it degrades them: and they should set about it speedily.

As the United States contain thirteen or fourteen millions of inhabitants, they rank in population as the fifth power of Christendom; but instead of having, as Prussia, the European state that approaches nearest to them in numbers, an area of only one hundred thousand square miles, the territories of the American Union extend over upwards of two millions of square miles—a space equal to two thirds of Europe, and of which much the largest portion is as yet wholly unsettled.

It is evident that the warlike establishments of a great nation removed by distance from the immediate danger of collisions with powerful neighbours can give no approximate idea of the resources of the country. The less expensive they are, the less they infringe on the accumulation of capital, and, by necessary consequence, on the ability of making great exertions, should occasions arise when it may be requisite to exert their energies. The army of the United States is restricted by law to six thousand, one hundred and eighty-six men, and of the four or five millions of dollars (from 800,000*l.* to 1,000,000*l.* sterling) annually appropriated for the department of

war, one million and a quarter appears by the estimates of the present year to be destined to fortifications, ordnance, &c. while in the balance are comprised revolutionary and military pensions, Indian department, &c. Surveys have also been made by the corps of engineers of those sections of the country where it was supposed that rail-roads or canals for military or commercial purposes could be advantageously constructed.

The expenses of the naval establishment for 1828 are stated at three millions, seven hundred and eighty-six thousand, six hundred and forty-nine dollars, or about 750,000*l*. The military marine appears at present to consist of twelve ships of the line, fifteen frigates of the first class, four frigates of the second class, two corvettes, and twenty-two sloops of war and smaller vessels. This force is understood to be in a situation to be prepared for sea at a short notice; but the greater part of it is kept in ordinary. In the sum above-named is included an annual appropriation of half a million of dollars for the gradual increase of the navy, in pursuance of which the frames of five new ships of the line, five frigates, and five sloops of war of the largest class, were last year procured.

A better idea of America as a maritime power than a view of her infant navy presents, may be obtained by a reference to her commercial marine. The merchant tonnage of the United States, corresponding to the British registered tonnage was, in 1826, one million, five hundred and thirty-four thousand, one hundred and ninety tons, while that of the United Kingdom is stated in the parliamentary returns to have been in 1827, two million, one hundred and five thousand, six hundred and five tons. The total imports of the United States in 1827 were in value about seventeen millions of pounds sterling, and the exports exceeded them by about five hundred and fifty thousand pounds.

The revenue of the United States is from twenty-two to twenty-five millions of dollars, which, with the exception of about two millions, is procured from duties on customs, but of this income ten millions at least are annually employed in the payment of the interest and the extinction of the principal of the public debts. As this debt was reduced on 1st July to about fifty-five millions and a half of dollars, and will be wholly paid off in the course of the year 1834, it will be seen that, however in other respects the recent tariff may be deemed injurious, and we sincerely deprecate it, and feel consolation in thinking that, ere long, a measure so unsound and so selfish will be got rid of—it is not probable that it will subject the government to any financial embarrassments. The whole revenue

to be provided for the expenses of the Union, of every description, excluding the debt, is supposed to be twelve millions, seven hundred and thirty thousand dollars (about 2,550,000*l.*)

In forming an opinion of the cost of the American government, it would be improper not to bear in mind that many charges corresponding to those which here appear in the general accounts of the British Treasury are, in the United States, defrayed by the state authorities. Supposing the provincial expenses, of New York, which are estimated at three hundred and fifty thousand dollars, to afford us, in proportion to its inhabitants, a fair criterion for determining those of the other states, it will be proper to add (New York having about one-eighth of the whole population) to the general estimate, two millions, eight hundred thousand dollars, or 560,000*l.* This would make the sum for governing thirteen or fourteen millions of people something more than three millions of pounds sterling, or less than five shillings per man, which is 75 per cent less than the cost of government even in the Netherlands, and less than one-tenth of the cost in this our "merry England."

The subject of internal improvements forms an important topic in every statistical notice of the United States. We cannot now enter on it in detail. One canal of three hundred and sixty miles in extent, has been made by the enterprise of a single state; others, connecting the spacious bays of the Chesapeake and the Delaware on the sea-board, the lakes of the interior with the ocean through the Ohio and Mississippi, and many of a more or less general character, are in different degrees of progress. They are constructed by the state authorities or by joint-stock companies. Congress has contributed its aid to the latter class by subscriptions to the stock, of which a recent instance was given by an appropriation of a million of dollars to a company about to make a water communication between the Ohio and Chesapeake.

ART. IV.—1. *La Guzla, ou Choix de Poesies Illyriques recueillies dans la Dalmatie, la Bosnie, la Croatie et l'Herzegowine.* Paris. 1827.

2. *La Juquerie; Feudal Scenes; followed by the Family of Carvajal, a Drama.* By the Author of *Le Theatre de Clara Gazul.* Paris. 1828.

SEVERAL years ago, the "Comedies de Clara Gazul" appeared in Paris, and excited a great deal of attention. They were hardly less known and praised in England. It was

soon understood that they were imitations of the Spanish drama, the production of a very young Frenchman, (M. Merimée) and that "Clara Gazul" was altogether a fictitious personage. They were, in every way, striking and interesting productions, possessing at once the faults and beauties of their models, full of spirit, originality, and fire. They were introduced by an account of their feigned authoress, which, as well as the dramas themselves, is remarkable for its utter freedom from affectation. There are to be found in them none of those defects, too generally attributed with justice to French imaginative works: there is no circumlocution, no parade, and their very hyperbole, as being common to the Spanish drama, is natural and in its place. The first of these comedies is founded on a circumstance that occurred during the last war; when a woman, brought up in infamy, was bribed to spy and betray, through their officers, a Spanish detachment to the French authorities in Finland. The gradual softening and repentance of the girl, when she discovers the worth, and learns to love the man she is about to lead to the scaffold, contrasted with the obduracy of her mother, is finely drawn; and the scene in which she confesses her guilt to her lover is touching from its simplicity and truth. Energy is the characteristic of these pieces, mingled with a display of knowledge in the lighter touches of humanity; such as the sweet gracefulness of Inez, and the struggles between a Catholic woman's religion and her love in "Le Ciel et l'Enfer." This drama is one of the best in the book; it is founded on the stormy passion of jealousy, the most terrible and selfish of human emotions, and the most interesting, from its being the most universal. As Clara Gazul was a Liberal, inquisitors and priests are attacked in her productions, and there reigns through all of them the spirit of freedom from political and religious servitude.

The author's next work was in a very different style, resembling the first in one particular only, that it is an imitation. It is entitled the "Guzla," and imports to be a translation of a collection of Illyrian national poems. We have in the preface some account of the players on the Guzla (a single-stringed guitar) and their mode of reciting to music, much in the manner of the Italian *improvisatori*. We are introduced also to an imaginary person, Hyacinth Maglanovich, who is supposed to be the author of the greater number of the poems in the volume before us. They are warlike, pathetic, and amatory—and, above all, whatever is their theme, they are characterised by the utmost simplicity, while a vein of sweetness runs throughout, that lends to each a particular charm. By a strong effort

of the imagination, the young Parisian writes as if the mountains of Illyria had been the home of his childhood; the rustic and barbarous manners are not softened, nor the wild energy of the people tamed; and, if we trace any vestige of civilization, it merely arises from the absence of all that would shock our tastes or prejudices. We are induced to give a few specimens from this extraordinary production, glad of an opportunity to introduce it to the lovers of poetry in this country.

We select, in the first place, a love poem, entitled, "The Beloved of Dannisich." To render it intelligible, we are informed in a note, that the Illyrian girl is in the habit of receiving gifts from her various suitors, and that after she has collected a sufficient number, her chosen lover requests permission to carry her off; and she consenting, always names the place and hour for flight.

THE BELOVED OF DANNISICH.

1.

'Eusebius has given me a ring of chased gold; I have received from Vladimir a red toque adorned with coins; but I love thee, Dannisich, better than both.

2.

'Eusebius has dark and curled hair: Vladimir has a complexion fair as that of a young woman from the mountains; but Dannisich, thou art to me more beautiful than either.

3.

'Eusebius kissed me and I smiled: Vladimir kissed me, and his breath was sweet as violets; but when Dannisich kissed me, my heart thrilled with pleasure.

4.

'Eusebius knows many old songs. Vladimir can play upon the guzla; I love songs and the guzla, but they must be the songs and guzla of Dannisich.

5.

'Eusebius has commissioned his godfather to ask me in marriage. Vladimir will send to morrow the priest to my father; but come thou under my window, Dannisich, and I will fly with thee.'

Another of the poems is founded on the oaths of friendship which it is usual for the Illyrian warriors to take one with the other. Two men thus united are called *Pobratimi*, or half brothers; they often sacrifice their lives for each other, and any quarrel between them is as scandalous as if, among us, a son ill-treated his father.

THE FLAME OF PERRUSSICH.

1.

‘Why is the bey Janco Marnavich never seen in his own country? Why does he wander among the rugged mountains of Vergoraz, never sleeping two nights under the same roof? Do his enemies pursue him, and have they sworn that the price of blood shall never be received?’

2.

‘No. The bey Janco is rich and powerful. No one dares call himself his enemy, for at his voice two hundred swords will leap from their scabbards. But he seeks solitary spots, and hides himself in the caverns which the Heydukes inhabit, for his heart is a prey to sorrow, since the death of his *pobratim*.

3.

‘Cyril Pervan died in the midst of feasting. Brandy flowed in torrents, and men became mad. A dispute arose between two renowned beys, and the bey Janco Marnavich shot at his enemy; but drinking caused his hand to tremble, and he killed his *pobratim*, Cyril Pervan.

4.

‘They swore to live and die together in the church of Perrussich; but two months after they had interchanged this vow, one of the *pobratimi* died by the hand of his brother. Since that day the bey Janco drinks neither spirits nor wine; he eats roots only, he wanders hither and thither, like an ox pursued by a gadfly.

‘At length he returned to his own country, and he entered the church of Perrussich: there, during one whole day, he prayed lying on the pavement with outspread arms, shedding bitter tears. But when night came, he returned home, he appeared calmer, and he supped, waited on by his wife and children.

6.

‘When he was in bed, he called his wife and said, “Can'st thou see the church of Perrussich from the mountain of Pristeg?” she looked from the window, and replied, “The Morpolatza is covered with mist, and I can see nothing beyond it.” The bey Janco said, “Good; rest again beside me;” and he prayed in his bed for the soul of Cyril Pervan.

7.

‘And when he had prayed, he said to his wife, “Open the window and look again towards Perrussich.” His wife immediately arose and said, “Beyond the Morpolatza, in the midst of the mist, I see a pale and flickering light.” Then the bey smiled and said, “Good; lie down again;” and he took his rosary and continued to pray.

8.

‘ When he had told his beads, he called his wife, saying, “ Pascorra, once again open the window and look.” She rose and said, “ My lord, I see a brilliant light in the middle of the river, which is advancing rapidly hither.” Then she heard a deep sigh, and something fell on the floor. The bey Janco was dead.’

Another poem is founded on the superstition attached to an evil eye, which, whomsoever it looks on, it kills. There are various kinds of evil eyes, one consists in having two pupils in each eye.

MAXIMUS AND ZOE.

1.

O Maximus Duban! O Zoe, daughter of Jellavich! May the holy Mother of God reward your love! May you be happy in heaven!

‘ When the sun had set in the sea, and the *vaiode** had gone to rest, a sweet guzla was heard beneath the windows of the fair Zoe, the eldest daughter of Jellavich.

3.

‘ And quickly fair Zoe rose on tiptoe, she opens the window, and a tall youth is seated on the ground; who sighs and sings his love on the guzla.

4.

‘ He prefers the darkest nights; when the moon is at its full, he hides himself in the shade, and the eye of Zoe only could discern him under his mantle of black lamb’s skin.

5

‘ Who is this youth with so sweet a voice? Who can tell? He is come from a distance, but he speaks our language; no one knows him, Zoe alone is acquainted with his name.

6

‘ But neither Zoe, nor any other person has seen his face; for when morning dawns, he raises his gun on his shoulders, and he penetrates the woods in pursuit of game.

7.

‘ He always brings back the horns of the little goat of the mountains, and he says to Zoe: “ Carry these horns with thee, and may Mary preserve thee from the evil eye!”’

* *Vaiode*—governor.

8.

‘He binds his head in a shawl like an Arnaut, and the wandering traveller who meets him in the woods has never beheld his face beneath the many folds of the gold-enwoven muslin.

9.

‘But one night Zoe said: “Approach, that my hand may touch thee”—She felt his features with her white hand; and when she touched herself, she felt not a more lovely face.

10.

‘Then she said: “The young men of this village tire me; they all court me, but I love only thee: come to-morrow at noon, while they are all at mass.

11.

“I will mount behind thee on thy horse, and thou shalt carry me as thy wife to thy own country—I have long worn the *opanke**—I wish to wear embroidered slippers.”

12.

‘The young player on the gazla sighed and said: “What dost thou ask? I cannot see thee in the day time, but descend to-night, and I will carry thee to the beautiful valley of Knin: and there we will marry.”

13.

‘She replied:—“No, I wish thee to take me to-morrow, for I will carry with me my richest dresses; my father has the key which keeps them. I will steal it to-morrow, and then I will come with thee.”

14.

‘Then once again he sighed and said:—“As thou desirest, so it shall be.” Then he embraced her; but the cocks crew, and the sky reddened, and the stranger departed.

15.

‘When the hour of noon came, he was at the *vaivode*’s door, mounted on a courser white as milk, and on the crupper there was a velvet cushion, that the soft Zoe might ride more gently.

16.

‘The stranger had his face covered with a thick veil—his mouth and his moustachios were hardly seen. His dress glittered with gold, and his girdle was embroidered with pearls.

17.

‘The fair Zoe leapt lightly on the crupper, the courser white as milk neighed, proud of his burthen, and he galloped off, leaving whirlwinds of dust behind him.”

* Large shoes, the token of virginity—they are changed to slippers at the time of nuptials.

18.

“Zoe, tell me, have you brought with you the beauteous horn I gave thee”—“No,” she replied, “what have I to do with such trifles? I have brought my gold embroidered garments, my neck-faces and my coins.”

19.

“Tell me, Zoe, hast thou brought the fair relic I gave thee”—“No,” she replied, “I hung it round the neck of my little brother, who is ill, to cure him of his sickness.”

20.

The stranger sighed sorrowfully. “Now that we are far from my home,” said the lovely Zoe, “rein in thy horse, remove that veil, and permit me to embrace thee, dear Maximus.”

21.

But he replied:—“We shall be more at our ease to-night at my home; there are satin cushions there, and we shall repose to-night under damask curtains.”

22.

“How,” exclaimed fair Zoe, “is this thy love for me? Why turn your head from me? Why treat me with disdain? Am I not the fairest girl in our village?”—

23.

“Ah Zoe,” said he, “some one passing might see us, and thy brothers pursuing us, might take thee back to thy father.” And speaking thus he spurred on his courser.

24.

“Stop, stop, O Maximus,” cried she, “I see that thou lovest me not; if thou turnest not thy face towards me, I will throw myself from the horse, should I die from my fall.”

25.

Then with one hand the stranger reined in his horse, and with the other he threw his veil on the ground, and then he turned to embrace Zoe. Holy Virgin, he had two pupils in each eye!

26.

Deathly, deathly was his look! Before his lips touched those of fair Zoe, the young girl leant her head on her shoulder, and she fell from the horse pale and lifeless.

27.

“Cursed be my father,” cried Maximus Duban, “who gave me this fatal eye. It shall be the cause of no more ill!” And he tore out his eyes with his hanzar.*

* *Hanzar*—*handschaar*. (Teutonic.)

28.

‘ He caused the fair Zoe to be interred with pomp, and for himself, he entered a cloister: but he survived not long, for soon they opened the grave of Zoe, and placed her Maximus beside her.’

One of the most interesting parts of this book is an account of Vampirism, and a detail of the death of a girl, the victim of a vampire. But the above specimens are sufficient to recommend it to the reader; and every lover of nature in its wildness and its freedom, will find pleasure in these emanations of a mind, imbued with grand and unsophisticated imagery, true as the echo in giving back the voice of the imaginative and simple mountaineer.

The last production of this author, recently published, is now before us. It is ushered in as no imitative attempt. “*La Jaquerie*” consists of a series of dramatic scenes, developing the history of an insurrection in France, almost contemporary with those in our own country which occurred under Richard II. The author observes in his short preface, that similar tumults broke out almost at the same time in France, Flanders, England, and the north of Germany. They all arose from the same cause:—the peasantry, long trampled on by the iron heel of feudal tyranny, endured such matchless privations and cruelties, that in spite of the prejudices that degraded them in their own eyes, beneath the rank of their fellow men; in spite of the arms and strongholds of their adversaries, they rose against them, and loosened, though they could not break, their feudal chains. The plan of the author of “*La Jaquerie*” is, to give a faithful picture of the manners of those times, bringing together under one point of view the many and successive scenes and personages that formed the then state of society. A history written with this view would develop a new and terrible page of human experience. To present this to us in the form of dialogue merely is a difficult undertaking; individual character is lost in the infinite variety of persons made to pass before us, and we have the ideal instead of the real being presented to us. We are introduced to the factious priest, murmuring because, in the choice of an abbot, the monks prefer the noble blood of another to his learning. We have the knights of France, whose very names awaken all the delusive associations of romance; the English captains of adventurers, whose trade was war; the burgess grasping and cowardly; the robber driven to outlawry by the cruelty of his superiors, and nourishing vengeance as a duty; the peasant first sinking beneath, and then rising to throw off oppression; and finally the lord of the castle, the feudal

chief, the suzerain of the surrounding country, his daughter and her betrothed lover, and the baron's men at arms, who though, in the language of the day, a villain, joins the gifts of poetry to those of valour.

These scenes may be divided into three parts. The first consisting of a development of the causes that led to rebellion. The picture of arbitrary power, unsoftened by any tinge of humanity, is frightful and true; ingratitude, pride, and cruelty exercised over the poor and unarmed, produce at last hatred and desire of vengeance: the peasantry, incited to open rebellion by a priest, rise in arms: they take a band of English adventurers into their pay, they besiege the castle of their lord, march to Beauvais, which, admitted by the lower orders, they take and sack, defeat the regular forces sent against them, and spread terror and devastation around. The lord of Apremont defends himself long, and is willing to endure any extremity, rather than submit to his rebellious vassals. Among these is one, late a favourite in the castle, Pierre, the minstrel and the man at arms. He had saved the life of the lady Isabel, and her father bestowed him on her as her page. Her beauty awakens, her gracious kindness fosters, his love, and he dared hope. Called on by her in an hour of ennui, to recite a tale for her amusement, he feigns to read one in which a noble girl becomes the bride of a serf. She discovers the deceit and guesses the cause—she dismisses him from the castle with blighting disdain, while his temerity even degrades her in her own eyes. Pierre is seized on by the grand mover of the plot, the monk, who gives him hope of triumph, and a chance of winning his lady, if he should join the insurgents, and he is now the chief of those who besiege the castle. Poor Isabel, her father wounded, every hope lost, asks her betrothed to give her back her faith, and then offers herself a sacrifice to Pierre, if he will save her parent. The end is tragical—he is too generous to accept the victim, and endeavours to provide for the escape of her and her family; but the miseries of civil discord in all its most hideous results, envelope the fugitives in one mighty ruin. The peasantry are victorious, and now begins the third part of the drama, their downfall—schism among themselves, a wish to return to their native fields and humble homes, a confidence in the word of their enemies, an incapacity to submit to discipline, joined to the treachery of their English allies, bring on the catastrophe. Such is a slight sketch of the progress of these scenes. We feel the want of one prominent character to concentrate the interest, without which a dramatic composition is never perfect. But the author has not aimed at a regular tragedy, and he has succeeded in giving us in,

a series of interesting scenes, a forcible picture of 'the manners of our ancestors, and of the crimes and misfortunes resulting from the feudal system, from which our state of civilization preserves us.

To the "Jaquerie" is added a drama, entitled the "Family of Carvajal." This is a tremendous domestic tragedy, founded on the same story as the *Cenci*. In this production the author is no longer a painter of manners only, but he becomes a depicter of passion, an observer and a narrator of the secret motives that influence our nature, and the dread events that are the result of unlawful indulgence. It is a question whether certain combinations of circumstances, though it is allowed that they have existence, should be recalled to our memory and represented to our imaginations. But it is difficult for the author, whose impulse is a gift of his nature, whose talent is spontaneous, who can no more repress the yearning of his mind to trace the boundaries of the unknown intellectual world, than he can rule the pulsations of his heart; it is difficult for him to submit to rules imposed by those whose tamer thoughts never emerge from the narrow bounds of their personal experience; who repose in a windless atmosphere, and who fear to have their downy slumbers broken by the war of elements. Columbus, anticipating the discovery of the unknown shores that pale our western progress over the wild and distant waves of the Atlantic, felt the old world, extended in latitude and longitude so far and wide, a narrow prison—and thus the imaginative writer, who deems that beyond the usual track he may find a fresh and untried ground, courageously launches forth, leaving the dull every-day earth behind him. If his discoveries do not interest us, do not let us vituperate his adventurous spirit, and thus degrade ourselves to the level of all detractors from the fame attendant on intellectual enterprise. Let us remember that the poets of Greece, whose names are as a part of our religion, and the highly-gifted dramatists of our own country, have been prone to select as subjects for their tragedies, events grounded on the direst passions and the worst impulses.

The Family of Carvajal has given rise to these reflections: they may be received as applying to every similar production which seeks to interest by new and strange combinations, and which are vivid in their conception and strong in their delineation of what they only know through the innate force of the imagination. The author before us has shewn no lack of boldness in his treatment of the subject, while he has never overstepped those boundaries which must be observed for our tastes not to be shocked, instead of our interest excited. He has made the

father and daughter equally impetuous and resolute, but one is the oppressor, the other the victim. The scene is laid in an unpopulated province of New Granada, and the father is represented as a despot over his wife, a cruel tyrant to his slaves, a man grown old in crime. His hapless daughter was brought up in a rustic semi-barbarous convent, and she returns home to find herself an associate of guilt, to which her proud heart refuses to yield, while love for another adds to her vehemence and misery. This meeting of two fierce natures in unnatural discord presents a new and terrible source for dramatic interest. Each scene transcends the one before in its appalling horror; and the last, in which the miserable girl poignards her father, completes the dark picture, spreading over the canvas the lurid hues of whirlwind and volcano. We turn trembling from the contemplation, while we confess the force of the genius that presents it to our eyes.

ART. V.—Fortescue, *De Laudibus Legum Angliæ*. The Translation into English, published A. D. 1775, and the original Latin Text, with Notes, by A. Anos, Esq. of Lincoln's Inn, Barrister at Law, and late Fellow of Trinity College, Cambridge. 8vo. Cambridge. 1825. pp. 280.

THE superior excellence of the Laws of England, of the constitution of our Courts of Justice, and of the English Lawyers, over those of other nations, are favourite topics upon which our national taste for boasting delights to expatiate and to exult with arrogant self-complacency. As these triumphs are usually celebrated at home amongst ourselves, there is little hazard lest our right to the victories which they are intended to honour should be called in question; an orator may discourse fearlessly on such matters in the court of Common Pleas, or of Chancery, in the House of Lords, or of Commons; he can have little reason to dread an opponent, or an impugner of his assertions.

Without entering at present upon the extensive field of comparison, let us suppose that a foreigner, in the midst of our boastings, were to inquire how our lawyers are educated? let us also suppose, that without any of that contempt which Englishmen are so apt to fling upon the inquisitiveness which may seem to doubt the perfect excellence of all we do, we were really disposed to grant the inquirer an answer: in what time, and in what place, and from what persons, could we say that this education is commonly received? Could we do otherwise than tell him that they obtain it by the peculiar mercy and especial

interposition of heaven; that the rain, and the frost, and the snow, come to us in their due seasons with tolerable regularity, and so also comes legal learning; that a cause sufficient for the production of it exists somewhere, or it would not be produced? For further particulars we might, perhaps, refer him to the lilies of the field, and bid him consider them, and see how they grow. A very brief examination will show clearly, that our legal learning, such as it is, is of spontaneous growth. The sources from which it may have been supposed hitherto to have been derived are the two Universities and the four Inns of Court.

First, as to the University of Oxford. It cannot be denied, that the general studies of the place are well suited to form the foundation of a legal education; they are not deficient in quality, but in quantity. The students travel by the old beaten roads, but the misfortune is, that they tire too soon; they do not go on far enough: the ancient *Trivium*, as the course of study universally in use throughout Europe was called, consisted of Grammar, Logic and Rhetoric; the *Quadrivium* added Law, Roman Law, to these three most important sciences; the trivial course is still pursued at Oxford, and if they advanced boldly in it, all would be well. The lectures on Divinity must be excepted, which are, by a cruel injustice, inflicted upon laymen, as well as churchmen; the former might be employed quite as usefully in filling their pockets with thistle-down, as their minds with school-divinity.

Degrees are still conferred in Civil Law, these, however, have long been an empty ceremony; the Civil Law was taught formerly in the schools, but not very successfully; the annals of this University are not rich in the names of illustrious Civilians. It is only of late years, that they have professed to teach, and they have rather professed to teach, than taught, the laws of England.

The Vinerian professorship, it is true, has given occasion to the production of Blackstone's Commentaries, an elegant and instructive work, to which no valid objection can be made, if it be read in the right spirit, that is to say, as an encomium on the Laws of England, as the apology of a skilful advocate, who passes over in discreet silence their indefensible defects, and enlarges upon their merits; being, moreover, especially ingenious in finding out beauties that are not very obvious, and in placing the blemishes themselves in an engaging point of view. We ought to expect to find a strictly impartial picture of our laws in these agreeable volumes, when we look for a scrupulously faithful history of Athens in those highly-finished productions, the

Panegyrical Orations of Isocrates. If we read the Commentaries with the same wise caution and distrust, we shall meet with much to admire, and many of the excellent qualities of the Athenian orator; a graceful and engaging style, and the same tone of mild wisdom; and, although there is a manifest leaning to the favourable side, it does not shock and repel, but is, on the contrary, somewhat attractive.

There is also much more legal information than it is the fashion to acknowledge; much more than the many, who believe that law cannot subsist without a rude pedantry, without tautology and barbarism, are willing to admit; let those who doubt his merits in this respect compare the Commentator himself with his commentators, with men whose legal learning certainly has not been offuscated by a cloud of various knowledge, nor the native vigour of their minds enervated by any excess of classical graces; they will doubtless discover on such comparison, that there is more law in one short chapter of the professor than in all the notes of all his annotators.

The Vinerian Professorship, it is true, afforded an additional motive for composing the Commentaries, but it is by no means impossible, that if the author had not been professor, he would, from professional views alone, have produced the work in nearly the same form, and if their merit had been equal, we cannot doubt that they would have been equally popular.

The Lectures of another Vinerian Professor, Woodeson, are much less popular than Blackstone's Commentaries, but they have considerable merit, chiefly for the information they contain respecting a difficult subject—the law of Real Property: the fame of that learned person rests entirely on his book, which the Conveyancer considers, with reason, as a valuable introduction to his peculiar branch of the profession; it is not because the latter professor, with a living voice, was used to stir up his pupils, and personally to lead them by the hand into the paths of Jurisprudence that his name is honoured.

It cannot properly be asserted, that the University of Oxford has ever been a school of English law. The claims of the University of Cambridge are more easily disposed of. The general studies of the place are by no means well suited to form the basis of a legal education: Analytics, and the grand discoveries of Newton, are doubtless wonderfully ingenious, but they are not more useful to the lawyer than the art of turning in ivory: it is sometimes loudly asserted, that, as the mathematical sciences demand method and application, they are of prime importance to the legal student; but the elegant art above mentioned requires the same qualifications, and so does any

other art, or science, and in comparison with absolute ignorance any acquirement is valuable, but in aid of jurisprudence, which calls for the habit of reasoning on moral probabilities, a knowledge of life and of human nature, and a critical discrimination of the powers of language and the meaning of words, the habits that are acquired by mathematical discipline, whatever the analysts may say to the contrary, are of very little more avail than the manual dexterity of the turner.

The professorship of English Law at Cambridge is of more recent date than at Oxford. Downing College has been endowed with a noble foundation for the express purpose of teaching the Laws of England, but the machinery has but just been set in motion; it has been such a short time in operation, in gentle operation, that we are unable to judge of its effects. It is certain at least, that this establishment did not open under very favourable auspices, for it first attracted the public attention in consequence of some severe animadversions which the directors of it suffered, for having applied the funds solely to the purpose of paying large salaries and conferring other advantages, many years before there was even the faintest show of teaching.

It has been remarked, probably without any great exaggeration, that there is not only more property in England which is set apart for public instruction, in proportion to its population and wealth, than in any other country in Europe, but as much as in all the rest of the world put together: there is, notwithstanding, less use made of it, and it is less directed to the purposes for which it was bestowed, and there is less money and labour actually expended in furtherance of public instruction, than in any the least civilized region.

The application of the small portion of the vast funds that are not totally misapplied and embezzled is not happy or efficient; the few persons who are taught at our Universities, and who attain the honours bestowed there, rarely possess real learning; they are trained only in some narrow course calculated for immediate display, and having been distended to the requisite size, to excite wonder for a few weeks or months, they speedily collapse, and soon return to their former insignificance. All persons who have attained to eminence in learning must be sensible that their proficiency was not attained through the aid of their pastors and masters, but in spite of them; that they bolted out of the prescribed course, that they contrived to get into some neighbouring library, notwithstanding the vigilance of those who had the care of it; that in contempt of advice and authority, they managed to read some really instructive books, and that they departed from the usual habits which had been carefully formed

and were usually observed at the place where they were educated, or rather where they educated themselves.

These considerations naturally lead us to the Inns of Court. These four societies are in the possession of enormous funds designed for the purpose of instruction. They receive every year a vast amount of rents for innumerable sets of chambers and buildings, all let at an exorbitant rate, situated in a good part of a most populous city, which have, independently of their advantageous position, a peculiar and professional value, and which are occupied by the best possible tenants; in addition to this vast amount, which is paid with singular punctuality, they obtain considerable fees on the admission of students, and still higher fees when any one is called to the bar; they are paid for absent commons, and they get other sums as dues, and under various denominations. They extract with the utmost and the most reprehensible diligence all that they possibly can from all their members, whether living or dead, in town, in the country, or in their graves—for even the tomb is not sacred; from their heirs, executors, and administrators; from the widow and the orphan; by all means, and under all names, whether feudal or monastic, intelligible or unintelligible. It is no exaggeration to say, on the one hand, that these societies have sufficient funds to teach law gratis to all the inhabitants of the metropolis; to make all the males good lawyers, if it were a desirable thing so to do: nor, on the other hand, that they do not expend a single farthing towards the sole end of their institution; that not one single legal notion, not a bare definition of a law-term, was ever conveyed to one individual by their means, or at their expense, for the last century; nor is there the slightest chance that there ever will be, unless a strong pressure be applied from without. The time for such a mechanical contrivance appears to have arrived; for if there be an opinion nearly unanimous, it is, that these enormous funds should be expended for the purposes for which they were originally destined—to give instruction to students in the laws of their country: the only question, therefore, now depending is, as to the modes in which that end can be most speedily and most effectually answered. We learn from history that the Inns of Court and of Chancery were Universities, or Colleges, of Law; this fact is too notorious to require proof, and the details would fill a larger space than the present opportunity will afford. The most famous men of their day anciently discharged the office of professor in turns, and, under the name of Reader, delivered lectures in the hall to the members of their house. We find the illustrious name of Sir Thomas More in the catalogue of the

Readers of Lincoln's Inn. We have the learned reading of lord Bacon on the Statute of Uses, and of Callis on Sewers; but at present it is permitted only to allude to those matters, and to remark that, if the distinguished men of the present day ever condescend to visit these halls, it is not for the purpose of teaching, but of feasting. The exercise of mooting, that is to say, of arguing cases, which was precisely analogous to the scholastic disputations, or keeping acts, as practised at the Universities, was diligently and constantly performed by the students in the halls under proper superintendence, and with the requisite assistance. This salutary exercise has gradually dwindled away, and if students are desirous of improving themselves, and of acquiring a habit of arguing, they must club together, as is in fact often done, and hire a room in a tavern at their own charge for the purpose. The shadow of the mootings still remains, although the substance is lost; it is retained as a pretext for obtaining fees and levying fines. Mr. Bentham, in allusion to this ceremony, says in his "Rationale of Judicial Evidence," "As at a Lincoln's Inn exercise, when one of the pleaders has declared himself for the widow, and the other against her, the debate finishes." The students of the Middle Temple, in like manner, are bound to repair twice, at six o'clock in the evening, to New Inn, to argue a question which has on each occasion been duly made known, and formally published by having been exhibited on the screen in their hall.

The Reader, or his Deputy, and the Disputants having arrived in safety at New Inn, march solemnly to the top of the hall, "*præunte Bedello*," and attended by the other officers; having taken their seats in due form, the Reader states the question, and calls upon the first of the two young men who are assigned to support the affirmative to begin; he accordingly rises, and bowing respectfully, says, if he be master of his countenance, with perfect gravity, if not, as gravely as he can, "that the case will be so well argued by the gentleman who is to follow, that it is not necessary to say any thing," and, having again bowed, he resumes his seat; the second young man on the same side being called upon, after a like bow, declares, "that the matter having been so fully discussed by the gentleman who preceded him, it is impossible to add any thing;" and executing another bow, he seats himself. The two young men on the negative side use the like words and the like bows, and the right to a reply being formally waved, the Reader gives judgment instantly, without appeal, in a manner quite worthy of the argument. Thus far the proceedings are farcical enough, but the consequences are

frequently somewhat tragical; for, if these instructive exercises have, as is frequently the case, been left unperformed, the student, on being called to the bar, pays a fine of six guineas, as a moderate compensation for his highly criminal negligence.

In former times the Inns of Court were not only places of instruction, but a part of the funds was expended on the amusements of the members. Herne, in his *Curious Discourses*, Whitelock, and many other writers, but especially Dugdale, in his "*Origines Juridiciales*," contain much curious matter on this subject. In the last work, Norroy, King of Arms, not only furnishes much information to the following effect—"It is reported"—he ought to have given the name of the reporter—"that John Whiddon, a justice of the Court of King's Bench, in 1^o Mariæ, was the first of the judges who rode to Westminster Hall on a horse or gelding, for before that time they rode on mules,"—but he also describes the Revels, as these amusements were called, with singular minuteness. If the Revels be ill suited to the manners of the present day, and if the lord chancellor, who was bound to take a large part in them, would, perchance, consider them a bore, yet they shewed a disposition to communicate good, as well as evil, with the junior members of the house; if they were not in a good taste, they were at least in a good spirit; and even the keeper of the king's seal and conscience, although he might not think the amusements the most elegant that could be devised, yet, if the speeches to which he is condemned to listen were curtailed, and he was required to spend one half of the time so saved in consuming "brawn, mustard, and malmsy," would probably think himself no loser by the change, to say nothing of the "ipocras, chely, and pasties of bucks."

We read in Dugdale the history of a series of gradual encroachments by the few upon the many; for in the Inns of Court, as in other and larger societies, the ruling few, who are in truth the servants of the majority, have by degrees learnt and ventured to act as if they were in all respects their absolute masters. Philosophers who have observed attentively the manners of other times and other lands, and being well acquainted with our own, are able to institute a fair comparison, and to pronounce an authoritative opinion, have declared, that in no country in the world, and in no age of the world, did the few ever grind down the many with such remorseless, unrelenting severity, and with such avowed singleness of purpose, as in England at the present day; that never was the spirit of aristocracy so daring, or the cowardly submission of the people

so abject. The Inns of Court, our four wealthy colleges of law, are not only,—and it seems a thing incredible and almost impossible,—inferior to the two Universities in efficacy, as schools of law, but they do not even pretend, or profess, or make any the slightest show of offering instruction to students. The libraries, as was observed on a former occasion, are altogether unworthy of the former fame of these Societies, and the reputation of the laws of England; or rather, they are quite worthy of the present degraded condition of legal education.

They contain a scanty collection of the most ordinary law-books; a studious visitor might commonly seek in vain for the more rare and costly contributions to the science of Jurisprudence. They are moreover open for a few hours only at inconvenient times, and they are carefully locked up at all seasons when it would be possible for professional men to enter them: it has been justly, and happily remarked, that it seems, as if the Benchers maintained the several dusty establishments, not for the encouragement of learning, or through a love for books, but to satisfy the words of a grant, for the purposes of tenure, that they might yield a library, if demanded.

There is nothing more rare in these learned Societies, than a disbursement for the benefit of the great body of their members; whenever there is any expenditure for public, or quasi-public purposes, it is not easy to trace its connection with the legal profession, or its tendency to the advancement of Jurisprudence. Two chalices of silver gilt, for the use of Lincoln's Inn Chapel, partake rather of the nature of ecclesiastical or sacerdotal law, than of the common law of freemen; and a monument in the same place to the memory of Spencer Perceval, recording on marble "*mitem illam sapientiam et suavissimam naturæ indolem*," can scarcely be said to render more assistance to the student, who wanders in the intricate mazes of the law, than if the same qualities had been honoured in his serviceable friend, Sir Vicary Gibbs, by a like tribute, and by the additional solemnities of sacred rites, with whole hecatombs of ferrets, and libations of Thieves-vinegar, that sweet gentleness and calm amenity might be had in due estimation. By what right do they take the children's bread and give it to the dogs?

The government of the Inns of Court is radically defective; it is literally a *Senate*, consisting not merely of old men, but of the oldest men that can be got together, the oldest of all being the most active and influential. There is from time to time, no doubt, an infusion of young blood, of men comparatively young; but when they are first elected benchers, they are not acquainted with the concerns of the House; the best men, all

men of ability, are better engaged, they never trouble themselves about the internal regulations of the society. Men of merit are frequently appointed Judges, or are removed entirely from the Inn by some high office, the least precious materials being left behind; benchers are chosen for life; they rarely, if ever, resign, and do not retire, unless they become sensible of their infirmity, which is precisely the last thing of which an old man, who is seldom very sensible of any thing, is sensible at all.

The government is executed, therefore, by the oldest of the old men, who are not thought eligible for any other purpose, and by those of the oldest, who are the most meddling and officious, and the least conscious of their age; who have most of the qualities which lessen, and least of those which give, respect to old age. In all offices, where there is a risk to be apprehended that the persons who hold them will remain too long, will continue after old age has impaired their faculties, there ought to be some authority more competent to judge than the venerable officer himself, who should be bound to give a plain hint, as is done to children, that it is time to go to bed. The superannuated minister ought to be ejected from his ministry, unless he chooses to save himself by resignation, or prefers to be shot, like an old horse; it is inexpedient that he should die in harness of old age. There are, it is true, exceptions to this rule; there are wonderful old men, as there are wonderful young ones; but it is a salutary law which prescribes of men in general, that before one age, and after another, they shall be considered unfit.

The evils arising from the total want of legal instruction are great and manifold. They all fall upon the people at large, through the means of the legislature, the magistracy, and the practitioners, whether advocates or attornies. The mere inspection of the huge volume of Statutes which is published every year; the most barbarous, stupid, and disgusting production to which human ignorance ever gave birth, is conclusive proof that the evil is at its maximum; or should any doubt still linger, it may easily be removed by an examination of the body, if that can be called a body which is a chaos without form, of the Statute Law, and it will be evident that our legislators have been commonly in complete and perfect ignorance of every thing that they were bound in duty to know.

The private acts of parliament are an additional confirmation, if any is needed; they are generally drawn by Conveyancers, who have been called, somewhat harshly, the worst educated of the human species; they are, certainly, as a body, the worst educated branch of the legal profession, and the least

qualified for the task of legislation; they are, perhaps, the most prolix of the prolix, and in skimming over the Statutes, we recognize the folios of nauseous tautology, with which they cover quires and reams of paper, and acres of parchment.

In an iron age of literature the critic is ordinarily worthy of his author; the commentary is fitted for the text, the expositor for the pages he expounds; thus our magistrates are often in harmony with the laws which they take upon themselves to administer. The superior judges live in the presence of the public—they are called upon to act in a large and well-frequented theatre—they must of necessity, therefore, be tolerable performers, and such in truth they generally are in most respects, and would be in all, but for a most pernicious doctrine (if an impudent and self-contradicting falsehood can be called a doctrine) which has been industriously propagated by ignorant and uneducated men, that a good lawyer ought to be in all other respects a monster of ignorance. If the principal judges have for the most part been sufficient for the performance of their duties, the subordinates may not have been always equally unexceptionable: a new code of laws, which was even absolutely perfect in all respects, could not be carried into execution by ignorant bunglers; a rigid and scrupulous inquiry into the qualifications of the assistants, such as Welsh judges, and the judges of separate jurisdictions, would be indispensable. Instances might be found of men being placed in situations of trust and dignity, who, in point of information, liberal accomplishments, and general fitness, were hardly worthy to keep a turnpike gate.

If there should ever be any extensive amendment of the body of our laws, it would, perhaps, be desirable to make an entirely new division of the judicial field.

Advocates are greatly deteriorated, and injured, by the want of the means of public instruction in their profession, and consequently the effects are injurious to their clients, the public. Persons venture to say, and not merely the lowest and the most ignorant of the vulgar, but the calumny has been repeated so often, that at last men, who ought to know better, join in the chorus (this injury has been noticed already, but it cannot be too often repelled) that lawyers, who have been educated to literature, and have cultivated it successfully, cannot understand law thoroughly, are not to be depended upon, and ought not to be elevated to high judicial stations. The reception of such an opinion would be one of the worst signs of bad times, and the strongest proof of the deep degeneracy of the legal profession; for the truth is, that it is nearly impossible for any one not well versed in polite letters to be a good lawyer; the excep-

tions are so few, that they do not prove any thing, but that an extraordinary genius is not subject to ordinary rules. If it were possible to find a supply of well-instructed men, no one ought to be placed upon the bench who has not received a liberal education, and cultivated polite letters. The rude barbarian is utterly incapable of understanding any subject thoroughly, but the well-instructed mind readily acquires a new branch of learning. In selecting a judge it is better, if ~~some~~ abatement in fitness is to be made, to abate something in legal lore, than in general knowledge. For, if we suppose the average duration of a judge to be ten years, in three years of constant practice the man of a cultivated mind, who had some previous acquaintance with the subject, will become a blameless lawyer, and for seven years the public will have the benefit of his services, which will be incalculably and incomparably superior to those of the mere uninformed lawyer. Whoever wishes well to the legal profession or to his country, ought to strive with his utmost power to extirpate this pestilent heresy, which is preached loudly and universally with wonderful diligence. The ignorant supporters of the palpable absurdity, that he who knows any thing else cannot possibly be a good lawyer, and that all great lawyers have been uneducated barbarians, perpetually bring forward and mainly rely on the defects of lord Mansfield, and they falsely impute them to his general knowledge and taste for humane letters. If the matter be fairly examined, it will be found, that the mistakes of the learned lord are to be imputed to the shallowness, not to the depth, of his learning. When he erred, it was through the want, and not the excess, of erudition, and because his learning was often too superficial, and not extensive enough. In the great task of reducing the heterogeneous mass of our laws to a consistent shape, and of forming a uniform code, the want of a body of men regularly and systematically trained up in the science of Jurisprudence, would be severely felt; besides, some of our laws, and many of our rules of practice and of evidence, have been made by wiser heads than those persons had, who have undertaken subsequently to explain them; and, as the supposititious reason has often been shown to be bad, and the legitimate and original reason is not apparent to superficial examiners, a salutary rule might frequently happen to be rejected, because some ignorant apologist had attempted to support it by an unsound reason. It is a curious proof of the defective education which lawyers for some time have received, that they have sometimes given such bad reasons for good rules, and have been unable to explain and maintain what their forefathers had devised. We have had,

nevertheless, some distinguished lawyers, because the English are a people highly gifted with the most valuable qualities of the mind, especially with a sound judgment, a daring spirit, and a most laborious industry; but we have these qualities in spite of ourselves and of our instructors, in spite also of our professional habits; for that must be a healthy intellect indeed, which can long survive the unwholesome employment of drawing bills in equity, acts of parliament, and conveyances.

The deficiency of legal education, and of all education, is extremely injurious to the practice of the law. If instruction could be had, and knowledge were considered essential to success, it would become once more a liberal profession. Low interest would cease to be all-powerful; an ignorant and unfit man would no longer be pushed forward over the heads of persons of real merit, because his father and his mother, his brothers and his sisters, his uncles and his aunts, were attornies. The course of legal instruction was formerly much longer, when the laws were less various and complicated; at present it is narrow, brief, and insufficient: it is often convenient to run the career of education, to get a student educated, or at least called to the bar, as speedily as possible, whilst business can be laid on. The son of a London attorney, or of any other solicitor, is cut off from the firm, potted and forced, that he, a cutting, may strike as quickly as may be. Sometimes he is not a cutting, but a layer; he is not cut off from the parent stem, but, being cut half through, is pegged down, and he grows up under the shade of the shrub which supplies him with nourishment. The results of these and the like proceedings are, a want of delicacy, of independence, of honour, and of liberality, and many fruits most bitter to those whose palate is unvitiated. The cause of the evil increases, and the evil itself is daily augmented; we may find, for example, that an attorney-general will no longer scorn to be hired for a paltry fee, to do that as counsel for a private prosecutor, or persecutor, which he had wisely deemed it inexpedient to attempt in his official character on behalf of his majesty. If "a naked prostitute be a nuisance in a public place" only, but in private, by necessary implication, a valuable acquisition, where is a prostitute arrayed in silk to be esteemed a desirable character? We may find—but the tale is long, and the time is short. The consideration of remedies is more agreeable than the detail of grievances; there is but one remedy, and that is as simple as it is efficacious. Instruction must be afforded to students, and the funds which were designed for that end, must be applied to the original purpose. A commission must soon be issued, directing fit persons to inquire into

the state of the Inns of Court; to new model these societies will be an important part of a scheme for amending the law; the foundation of the old and ruinous building must be laid again, that it may support the modern superstructure. It is forbidden to put new wine into old bottles. If this measure of prime necessity be not undertaken soon spontaneously, an inquiry must be demanded by the repeated entreaties and urgent remonstrances of all men who are not sunk in a lethargy of indifference to the best interests of mankind.

It is an imperious duty that can no longer be delayed, to ask, and not merely to ask but to insist upon learning, and to learn, how the rents and profits arising from vast masses of public property are disposed of. These societies are not only useless under their present constitution, as Colleges of Law, but they are also worthless as inns, or club-houses; let any one consider, how many advantages he gains by being a member of one of the numerous clubs which now exist in London, in comparison with those that are to be had at as high, or generally a much higher price, at one of the Inns of Court, and he will see at once the superiority of new institutions over old ones. Not only is much more amusement and enjoyment to be obtained at a club-house, but quite as much legal instruction, and far more general information. It is evident, therefore, that the Inns of Court must be recast, and to recast, it is first necessary to break up; the golden calf must be broken up, in order that the pieces may be put into the crucible. The dues, duties, and various taxes, until very lately, were merely nominal, and were not required to be paid, unless some corresponding benefit was received by the member; but, as they are now rigidly exacted, it is the season to inquire how they may be avoided.

It is painful, no doubt, that it should be necessary to destroy ancient institutions, but history teaches us, that at certain periods such changes have been indispensable: a total want of public spirit in those who governed them, and a corroding selfishness, prevented the adoption of a middle course, and sealed their doom. So long as the great body of members saw that even an appearance of benefiting them was preserved, they cheerfully submitted to many inconveniences; but, when decent pretexts were thrown aside, that madness which the Gods send upon those whom they intend to destroy, was manifest, and men at last executed a work that seemed to be ordained by heaven.

In remodelling our Colleges of Law, the most cautious followers of ancient usages, the most scrupulous observers of precedents, need not fear a departure from the original institu-

tion; for he must be a poor antiquary indeed, who does not know, that all our old foundations have been always in such a state of confusion, that nothing was ever firmly settled; that the history of them is full of contrarieties and contradictions, and that we are at liberty to mould them into any form we please, for there is no consistent usage or custom to restrain us.

The Inns of Court may have been, and no doubt were, very useful in their day, but that day has long passed, and they are worn out. Such is the fate of all that is connected with man; our very apple-trees, it is said, become exhausted in time, and must be renewed. Formerly rulers of these societies were public-spirited and liberal, and accomplished great works for the times; this, however, is not the case at present. Under a well-arranged system of management, it would not be desirable that there should be four separate Colleges of Law, though at present if Serjeants Inn be included there are five. The Inns of Court ought to be consolidated into one well-organized body. It is true, that at present, there is this advantage from the division, that a person who is disgusted with the treatment he may have received from one society, may betake himself to another, yet this power of change has a tendency to perpetuate abuses. for, instead of insisting upon an alteration in the management, the victim seeks refuge in flight; whereas, if the government was altered, and the governors were made responsible to the governed, and obliged to render an account of their stewardship, the necessity for expatriation and change of legal domicile would no longer exist. It is absolutely necessary to include the Ecclesiastical Courts in the plan for reforming the law; they loudly demand the amending hand, being expensive, dilatory, and, in many cases, superfluous; the doctors of Civil Law ought to be put on the same footing as barristers, so that there should be only one source from which advocates are derived. Doctors Commons, therefore, which is a college of law, ought to be blended in the general mass; institutions, which, at the most perhaps, twenty persons consider most venerable, ought to be cast with the rest into the melting-pot.

It is a great misfortune, that the whole body of the English bar have no means of uniting. It tends greatly to diminish their importance, utility, and respectability, that they cannot express their joint approbation or disapprobation, whether on the more important questions of professional conduct and regulation, or in smaller matters. For example, if some pert, vulgar, and ignorant quack, in order to bring his insignificance into notice by force or to fasten himself upon the

profession as a recognized and respectable member of it, takes upon himself to repel, or refute, in an advertising pamphlet, some imaginary attack upon the profession, and disgraces it more by his defence than any accusation whatever could do, the English bar have no ready means of disavowing him and his dishonourable vindication. The Faculty of Advocates in Scotland, being organized in one compact body, have the great advantage of being able, with the utmost ease, to shake off any such occasional impurity; which power they exercise, except in cases where the character and qualifications of the offender are manifestly such, that not even the most foolish can imagine for a moment that his officiousness has been accepted by an honourable and respectable body of men. There are some intruders, who would instantly be kicked down stairs, but there are others who are not thought worth the trouble. It is one thing for a profession to be open to men of real merit and learning, who rise fairly from the ranks; and another, to be exposed to the depredations of hungry and desperate adventurers.

As to the work, of which the title stands at the head of the present article, the original consists of a short dialogue [it is comprehended in this edition in sixty pages] written in latin by a person who filled the office of Chief Justice of England with great reputation during a considerable period of the reign of Henry VI, and was afterwards Lord High Chancellor. During the time of the Dialogue, the king was in prison, and the queen and her son Edward, prince of Wales, were in banishment in France; the interlocutors are the Prince and the Author, who describes himself, as "*Miles quidam grandævus, prædicti regis Angliæ cancellarius, qui etiam ibidem sub hac clude exulabat.*" The young prince of Wales was more addicted to mount "on fiery and wild horses," and "to urge them on with the spur," than to study the laws of his country; the object of the chancellor's discourse is consequently, to induce his pupil, by lauding the laws of England, to borrow a little of his time from galloping, of which he seems to have been as fond as captain Head, and to bestow it upon legal studies.

The Dialogue of Fortescue, like every thing else connected with our law, has been the subject of exaggerated praise, which has often been bestowed with a remarkable want of judgment, especially by sir W. Jones, who writes, as he is cited by Mr. Amos—

‘Alter libellus est, de quo dici potest id quod de fluvio Teleboâ scripsit Xenophon, Μεγας μιν ου, καλος δε. Auctor fuit Angliæ Cancellarius sub rege Henrico Sexto, et ob turbulenta tempora, cum alumno suo principe

Edwardo, in Galliam fugit; ubi, cum esset summâ senectute, aureolum hunc Dialogum contexuit. Certè leges nostræ, ut in illo libro videbis, persapienter sunt compositi, ut ait Pindarus,' &c.

"The golden little Dialogue" is not καλός in any sense, but the most superficial of knights having picked up a fragment of Greek could not be easy till he had cited it, which he accordingly did, and indulged his laudatory propensities at the same time, dragging in afterwards, for the purpose of further display, a scrap of Pindar, which is as much out of place as his epithet καλός. "The golden little Dialogue" is by no means beautiful; it is sufficiently rude to satisfy the taste of a profound lawyer, being barbarous enough, but not perhaps very barbarous for a law-book. As the design of the work was to extol our laws, and to exhibit the wisdom of our ancestors in a favourable light, and as it is, moreover, interlarded with clerical cant, and ends with a solemn thanksgiving and the word "Amen," it was not unfit that it should be published at the expense of the University.

'The syndics of the University Press, always conspicuous for their anxiety to promote the cultivation of every branch of human knowledge, have defrayed out of the funds at their disposal, the whole expense of publishing this work.'—p. 12.

Mr. Amos takes a more fair and rational view of the value of Fortescue's Dialogue, than is usual with annotators and lawyers, who are apt extravagantly to extol their client, in order that the praise may rebound to the patron. He says in his preface,

'The writings of Fortescue present an interesting picture, drawn from what was passing under his immediate view, of the political, moral, religious, and physical, situation of the country connected with its jurisprudence. It is from these circumstances, more than from books of statutes and reports, that the origin of national laws is to be discovered, their spirit and meaning to be collected, their excellence to be appreciated, and the blind veneration which often attends them, to be dissipated. A previous inquiry concerning the original sources of national law is surely necessary for unfolding the design and the principles of our earlier legal institutions, and must afford great facilities towards the comprehending those parts of the present fabric of our jurisprudence, of which the construction is of an ancient date, or which have been fashioned after the ancient model.'

As copies of the treatise "De Laudibus Legum Angliæ" had become scarce and expensive, a new edition was an useful undertaking, if it was only for the purpose of facilitating the access to materials which may assist some ingenious author in composing, and his readers in more fully understanding, a Philosophical History of the Law of England.

Mr. Amos has discharged the office of annotator with ability and moderation; it is somewhat difficult to avoid turning the license of writing notes into licentiousness, and not to abuse the liberty of making citations; the learned editor cannot justly be charged with these very prevalent offences. It is peculiarly necessary to guard against the risk of heaping up an overpowering mass of notes on matters of antiquarian research, which are for the most part of little value; we ought, however, carefully to distinguish between Archæology, or the study of Grecian and Roman antiquities, and the study of the antiquary, the antiquities of the middle ages and of times subsequent. The former pursuit it is hardly possible to carry to an improper excess, because we may derive advantage and improvement from almost every department of the studies of the archæologist, so admirable were the institutions of Greece and Rome, and to such a wonderful pitch did the cultivation of the human intellect attain, especially in Greece; but, in the middle ages, on the contrary, there was little of which human nature has not reason to be ashamed; and whatever we would not wish to unlearn as to those barbarous times, we would only consent to remember for the purpose of avoiding it. As a sample of Fortescue and of his Times, the following extract has been chosen, which is also interesting and apposite, as being one of the many proofs that might have been adduced, of some of the assertions that have been made on the present occasion:—

‘But, my Prince, that the method and form of the study of the law may the better appear, I will proceed and describe it to you in the best manner I can. There belong to it ten lesser inns, and sometimes more, which are called the Inns of Chancery; in each of which there are a hundred students at the least; and in some of them, a far greater number, though not constantly residing. The students are for the most part young men; here they study the nature of original and judicial writs, which are the very first principles of the law; after they have made some progress here, and are more advanced in years, they are admitted into the Inns of Court, properly so called; of these there are four in number. In that which is the least frequented, there are about two hundred students. In these greater inns a student cannot well be maintained under eight and twenty pounds a year: (*octoginta scutorum*) and if he have a servant to wait on him (as for the most part they have) the expense is proportionably more; for this reason, the students are sons to persons of quality; those of an inferior rank not being able to bear the expenses of maintaining and educating their children in this way. As to the merchants, they seldom care to lessen their stock in trade, by being at such large yearly expenses. So that there is scarce to be found, throughout the kingdom, an eminent lawyer who is not a gentleman by birth and

fortune; consequently they have a greater regard for their character and honour than those who are bred in another way. There is, both in the Inns of Court, and in the Inns of Chancery, a sort of an Academy or Gymnasium, fit for persons of their station; where they learn singing, and all kinds of music, dancing, and such other accomplishments and diversions (which are called Revels) as are suitable to their quality, and such as are usually practised at court. At other times, out of term, the greater part apply themselves to the study of the law. Upon festival days, and after the offices of the church are over, they employ themselves in the study of sacred and prophane history: (*sacra scripturae et historicorum lectioni*) hence every thing which is good and virtuous is to be learned; all vice is discouraged and banished. So that knights, barons, and the greatest nobility of the kingdom, often place their children in those Inns of Court; not so much to make the laws their study, much less to live by the profession (having large patrimonies of their own), but to form their manners, and to preserve them from the contagion of vice. The discipline is so excellent, that there is scarce ever known to be any picques or differences, any bickerings or disturbances among them. The only way they have of punishing delinquents, is by expelling them the society, which punishment they dread more than criminals do imprisonment and irons; for he who is expelled out of one society, is never taken in by any of the other. Whence it happens, that there is a constant harmony amongst them, the greatest friendship, and a general freedom of conversation. I need not be particular in describing the manner and method how the laws are studied in those places, since your highness is never like to be a student there. But I may say in the general, that it is pleasant, excellently well adapted for proficiency, and every way worthy of your esteem and encouragement. One thing more I will beg to observe, viz. that neither at Orleans, where both the canon and civil laws are professed and studied, and whither students resort from all parts; neither at Angiers, Caen, nor any other University in France (Paris excepted) are there so many students, who have passed their minority, as in our Inns of Court, where the natives only are admitted.'—p. 182.

ART. VI.—*A Discourse delivered at the Ordination of the Rev. Fred. A. Farley, as Pastor of the Westminster Congregational Society, at Providence, Rhode Island, September 10, 1828. By William Ellery Channing. Boston. 1828.*

WE deviate from our usual course in noticing a pulpit oration. The great mass of such compositions are so ignoble and common-place; and in these days produce, for the most part, so slight an effect upon the public; they are so hurriedly produced, and so speedily forgotten; that it would be a pity to interrupt them in their quiet progress to oblivion. But the

sermons of Dr. Channing form a splendid exception to the ordinary character of ecclesiastical eloquence. They are so full of novel and of elevating views, conveyed in a language emphatic and majestic, like the finest passages of Milton's glorious prose; they create in the mind such sentiments of admiration for the author, such benevolent desires, such glowing convictions, such upward aspirations, that we cannot but hail every new occasion which brings us in contact with his beautifully-toned affections, and his rich and powerful mind.

The Quarterly Review announced him as an honour to his country and to his kind. We echo back the sentiment cheerfully—joyfully. He is indeed a benefactor who is constantly contributing prolific supplies of the greatest mental enjoyment, teaching us the true dignity of our nature, bearing us aloft on the pinions of his towering conception, and purifying and ennobling our spirits to the highest exercises of virtue, and the grandest ideas of God.

He speaks under the influence of solemn convictions, the justifier of the Divine Being, the exalter of the human race. In the sermon before us, he undertakes to show, how closely the connection between God and man partakes of the paternal and the filial character, and that the sole end of religion is, to bring about a resemblance to, and a more perfect communion with, the Source of life and light.

‘Likeness to God must be a principle of sympathy or accordance with his creation; for the creation is a birth and shining-forth of the divine mind, a work through which his spirit breathes. In proportion as we receive this spirit, we possess within ourselves the explanation of what we see. We discern more and more of God in every thing, from the frail flower to the everlasting stars. Even in evil, that dark cloud which hangs over the creation, we discern rays of light and hope, and gradually come to see in suffering and temptation, proofs and instruments of the sublimest purposes of wisdom and love.’—pp. 6 and 7.

He goes on in glowing and appropriate language to prove that Christianity bears “perpetual testimonies to the divinity of human nature.” He shows how it is only from the workings of our own spiritual thoughts that we find the elements of the Creator's attributes; and that “God is another name for human intelligence, raised above all error and imperfection, and extending to all possible truth.”—p. 10.

‘We see God around us, because he dwells within us. It is by a kindred wisdom, that we discern his wisdom in his works. The brute, with an eye as piercing as ours, looks on the universe; and the page, which to us is radiant with characters of greatness and good-

ness, is to him a blank. In truth, the beauty and glory of God's works are revealed to the mind by a light beaming from itself. We discern the impress of God's attributes in the universe by accordance of nature, and enjoy them through sympathy.'—p. 13.

He finely portrays the mind stretching and struggling after infinity; the depth of human tenderness; the loftiness of moral principle; the might of intellectual power. His religion he declares to be

'Not the adoration of a God with whom we have no common properties; of a distinct, foreign, separate being; but of an all-communicating parent. It recognizes and adores God as a being, whom we know through our own souls, who has made man in his own image, who is the perfection of our own spiritual nature, who has sympathies with us as kindred beings, who is near us, not in place only, like this all-surrounding atmosphere, but by spiritual influence and love, who looks on us with parental interest, and whose great design it is, to communicate to us for ever, and in freer and fuller streams, his own power, goodness, and joy.'—pp. 18 and 19.

Against any extravagant and careless deductions from his exalted views, any alienation from the walk of daily cares and daily duties, Dr. Channing carefully guards his reader:

'I reverence human nature too much to do it violence: I see too much divinity in its ordinary operations, to urge on it a forced and vehement virtue. To grow in the likeness of God, we need not cease to be men. This likeness does not consist in extraordinary or miraculous gifts, in supernatural additions to the soul, or in any thing foreign to our original constitution; but in our essential faculties, unfolded by vigorous and conscientious exertion in the ordinary circumstances assigned by God.'—p. 22.

'We approach our Creator by every right exertion of the powers he gives us. Whenever we invigorate the understanding by honestly and resolutely seeking truth, and by withstanding whatever might warp the judgment; whenever we invigorate the conscience by following it in opposition to the passions; whenever we receive a blessing gratefully, bear a trial patiently, or encounter peril or scorn with moral courage; whenever we perform a disinterested deed; whenever we lift up the heart in true adoration to God; whenever we war against a habit or desire which is strengthening itself against our higher principles; whenever we think, speak, or act, with moral energy, and resolute devotion to duty, be the occasion ever so humble, obscure, familiar; then the divinity is growing within us, and we are ascending towards our Author. True religion thus blends itself with common life. We are thus to draw nigh to God, without forsaking men. We are thus, without parting with our human nature, to clothe ourselves with the divine.'—pp. 24 and 25.

We cannot refrain from giving one striking passage more,

‘I cannot but pity the man, who recognizes nothing godly in his nature. I see the marks of God in the heavens and the earth; but how much more in a liberal intellect, in magnanimity, in unconquerable rectitude, in a philanthropy which forgives every wrong, and which never despairs of the cause of Christ, and human virtue. I do and I must reverence human nature. Neither the sneers of a worldly scepticism, nor the groans of a gloomy theology, disturb my faith in its god-like powers and tendencies. I know how it is despised, how it has been oppressed, how civil and religious establishments have for ages conspired to crush it. I know its history. I shut my eyes on none of its weaknesses and crimes. I understand the proofs, by which despotism demonstrates, that man is a wild beast, in want of a master, and only safe in chains. But injured, trampled on, and scorned, as our nature is, I still turn to it with intense sympathy and strong hope. The signatures of its origin and its end are impressed too deeply to be ever wholly effaced. I bless it for its kind affections, for its strong and tender love. I honour it for its struggles against oppression, for its growth and progress under the weight of so many chains and prejudices, for its achievements in science and art, and still more for its examples of heroic and saintly virtue. These are marks of a divine origin, and the pledges of a celestial inheritance; and I thank God that my own lot is bound up with that of the human race.’—pp. 26 and 27.

This appears to us to be true philanthropy; this to be genuine piety—this real eloquence. Thoughts like these, expressed in words like these, go forth like new luminaries of glory, to enlighten and console the world. Dr. Channing was the first man, whose bold and mighty breathings dissipated the delusive mist of fame which hung round the brow of Napoleon. At his reproof the conqueror and warrior was humbled. But it is a far more important task, a higher and a holier calling, to elevate the character of the whole human race, to bring man nearer to his Maker; “this function,” to use his own striking language, “is the sublimest under heaven; and the reward of him who exercises it will be, a growing power of spreading truth, virtue, moral strength, love, and happiness, without limit and without end.”—p. 36.

ART. VII.—*Hungarian Tales.* 3 Vols. London, 1829. Saunders and Otley.

THESE volumes ought never to have been waded through the dirt of paid puffery. The tricks of dishonest criticism ought to be left for that only which wants its help,—it is sad to see a fair fame polluted by the meretricious sets-off of newspapers which lend their venal columns to a thoroughly organised sys-

tem of literary knavery. With booksellers, it is to be feared nothing is to be done—their reformation is hopeless ; they must and will sell their wares—and, if by subservient trumpeters they can sell them the better, it is an affair of business—and charity will find forgiveness for them. But, that authors, that men and women of reputation, should lend themselves to this prostitution, is to us a matter of exceeding wonderment. It would really seem as if there were nothing repugnant to honesty, and to modesty, in being dragged day after day before the public, in false garments, under fraudulent pretences, uttering all sorts of mendacity. It is in vain, we repeat, to preach to those who profit by sporting with reputations, and whose calling it is, not to perceive — what bitter, though concealed, censure is conveyed by the laud which is undeserved. From time to time we have hoped that the paragraphs paraded round such newspapers as lend out their columns for a price, to truth or falsehood, to worthlessness or merit, with equal willingness and equal rapacity, and who conceal the fact which they ought to proclaim, that such insidious doings are booksellers' *advertisements* would cease to produce any effect other than that of creating disgust—that the deceit would grow stale from repetition, and the world be no longer cheated by the fraudulent practices of the trade.

If authors cannot be taught self-respect, if they will not stipulate against this profanation of their names and talents, the public must be disabused, and the mischief will soon cease. To the righteous tribunal of independent criticism, writers must be brought ; their lending themselves to the dishonest practices of their publishers must be arrayed as an indictment against them ; and we trust the time is not far distant, when, to be exposed in a pillory, or in a venal paragraph, will be deemed about an equal stigma. The competitors in the race of literature have no fair chance while arts like those we have referred to are employed. Books are not allowed to speak for themselves, and the voices that speak for them are mostly the hired advocates of those who have bought the copyrights. There is a monstrous traffickry in puffs, and he is the cleverest bookseller who can force most of the nauseous commodity into the market. A publisher has been known to confess, that he cared nothing about the quality of the matter to which he gave circulation ; a very natural and honest confession : all that he wanted was something which, after “preparing the public” by tickling their curiosity, and playing on their credulity, he could get them to look at, to buy, and to forget : and, forgetting, to come and be tricked again. A book's fortune is made when paid and lying paragraphs have asserted a hundred times over that it is “a beauti-

ful" or "a wonderful production"—the echo vibrates in the common ear—and the source whence it comes is unknown or unremembered. There is, too, a confidence in the press, which adds to its pernicious power. Men will not believe they are so betrayed and cheated by the "God of their idolatry."

The "Hungarian Tales" have great merit. They are obviously written hastily, got up for the season, to serve the publisher's purpose "when people come to town," and then intended to be delivered over to the stagnation of a circulating library, making way for a succession of new varieties. They deserve a better fate. They not only have interest as touching narratives, but they place us in the midst of other nations, communicate to us fresh views of society, show the elevated surface, at least, of a very singular people; a people, whose peculiar history, and whose present position, exhibit the strongest contrast to every thing near or around them. We say the elevated *surface* of the Hungarian people, because the characters with whom our authoress has had to do, are mostly of the aristocratical classes; and she is sometimes, as in the *Infanta of Presburg*, sadly dazzled and deluded by the blaze of court pretensions. Where she introduces beings of the commonalty, there is obviously a less keen perception, and a less thorough understanding of their habits of thought. She professes, with great candour, ignorance of the Hungarian language; that language which is the only instrument by which the affection of the Hungarians can be probed, or understood; since they spurn with unanimous eagerness the tongue of their Austrian rulers, and cling to the old Magyar with more than religious devotion. But she has admirably used the advantages she possessed in the fashionable circles of Pesth and Buda. She represents the Hungarian aristocracy as mingling in strange confusion the pride of barbarism with the decorations of civilization, the spirit of a not-very intelligible independence with an habitual subserviency to the court, a romantic nationality which submits to heavy yokes, and inflicts heavy oppressions. Hungary is, in truth, the representative of a modern feudalism and many curious points of comparison with the Anglo-Saxon period of our history may be discovered, in the existing state of things in that country.

That the writer found very ample and various materials for her labours, may be gathered from several general descriptions in the progress of her narrative. She says truly—

'There is no country in Europe inhabited by a greater variety of tribes than Hungary; each retaining a different costume—many a different faith, a different language, and different mode of government

—and all exhibiting that diversity of habits, pursuits, and interests, which forms an insuperable obstacle to national union.

First among the tribes, may be considered that of the native Hungarian or Magyar ; proud, fierce, insolent ; retaining at once the ignorance and the rude virtues of the dark ages. The Croat and Sirmian, artful and persevering, and uniting something of the inspiration of a warmer sky to the national character, preserve a still richer costume than that of the Hungarian hussar uniform. A flapped hat, decorated with scarlet flowers or feathers—a rich girdle appearing under the braided jerkin, replace the jacket covered with lace and silken buttons of the former. The inhabitants of the *militarische Gränze*, or military frontiers, particularly those bordering upon Walachia, profess the creed of the Greek church, and exhibit a half Romaic fashion in their attire ; but they have borrowed from their Turkish neighbours, customs and vices of Mahometan origin. Polygamy is still prevalent among them, and authorized by their laws ; which are in other respects of a strictly military character.

The Transylvanians, on the contrary, exhibit an affinity both physical and moral with the Tâtar tribes, whose territories border the limits of their principality ; while the northern inhabitants of Hungary, the Slowáks and mountaineers of Galieia, possess a personal superiority over all the rest ; and, simple in character, strong in muscular frame, patient and enduring, form the most valuable source of recruitment for the Imperial army. Last in the catalogue, may be inscribed the Jews ; who are abundantly scattered over the popular parts of the kingdom, and wear their gaberdines with the dignity of the prosperous ; while the Tzigány or gipsies, a tribe whose outlawed condition will scarcely permit them to be included in the list, although more numerous and more industrious than the last-mentioned, mingle the shreds and patches of any finery, Oriental or European, of which they can possess themselves, with the coarse garments which appertain to their poverty.

But besides these native tribes, the streets of Pesth exhibit at all times a motley congregation of foreign costumes.—Turks and Greeks, Armenians and Tâtars, are attracted thither as the most advantageous mart and *entrepôt* for their petty commerce with the western and northern countries of Europe, and the fair of Pesth is only secondary in importance to that of Leipsig ; while the soft accents of Italy are added to the confusion of tongues by the Milanese regiments, which the policy of the Austrian government quarters throughout Hungary. —Vol. iii. p. 144—147.

A true pathos runs through many of these stories, though for the most part, they record only the casualties of every-day life, in so rude, and, in our days, so rare a state of society as exists in the land which is the scene of exhibition ; where races, whom no time has blended, nor appears likely to blend, occupy the territory, and form castes more distinct than those of India—each isolated in its exclusive feelings, language, and manners. This

diversity of character is the circumstance on which most of the narratives turn—The fierce pride and condensed nationality of the Magyar—the less presuming, yet not less distinct peculiarity and self-esteem of the Slovakian—the dull and heavy oppression of all that is Austrian, upon both—the wild and wandering gypsies, affording materials for all that is rude and grotesque,—these concurring circumstances enable the writer to add to the common development of individual passion, masses of national colouring, whose comparisons and contrasts have an imposing effect. But the interest of situation is not always accurately estimated, and we find expressions frequently too exaggerated for the persons using them, and the places where they occur; and this exaggeration gives an impression of a straining after effect, which a mind of so much efficient power and sagacious observation ought especially to have avoided. The colouring is too high—though the groups are well chosen and happily placed—and the scenery rich and appropriate. As unpractised writers frequently indulge in expletive and useless words—fancying that an adjective of praise or dispraise suffices to convey an emotion of pleasure or pain, so the writer presses into her service a phraseology far beyond the requirements of the case—she overlays natural thoughts and passions with cumbrous expressions—she exhibits an overflow, a waste, which implies either negligence or useless labour. To suit the word to the action,—the expression to the event—is the second secret of literary power: the first is, to conceive aright—and this it appears to us the writer possesses: she must discipline her mind to the other.

Some other blemishes strike us which so talented a writer ought to have avoided. Foreign words and phrases are dragged in on all occasions, as if to show off a knowledge of different idioms, which, after all, is obviously not very profound. A great number of German expressions are put into the mouths of Hungarians, of a class who certainly speak nothing but Magyar. We observe too that the Magyar words are most frequently miswritten, as for example, *menyasgony* instead of *menyaszszony* (bride) *vilez*, for *vitez* (hero) *Kintsásó*, a term of endearment which is translated “dearest,” means treasure-seeker, from *Kints* (treasure) and *ásó*, a digger; *né met* for *Német*, (a German); *Kévánok* for *Kívánuok*, (I wish); *hegye* for *hegy*, (mountain); We mention these, and we might mention many others, to show more prominently the absurdity of this affectation of knowledge. What is it, but to play the part of Mrs. Malaprop in another and a higher sphere? In the English, too, there is a frequent employment of antique and forgotten phrases, which though

very excusable and proper from the pen of sir Walter Scott when describing a period at which such phrases were employed, do not suit modern days, nor distant countries. Living Magyars have nothing to do with the English of Elizabeth's time, such as the frequent use of the old *th*, as the terminal of the third person present of the verbs. Sir Walter Scott has indeed furnished the model of many of the poetical characters of the volume. Mariska and the Gipsy are representations of Meg Merrilies and Elspeth—but Scott's beldames use no language too high-flown for their situation. The authoress frequently gives the phraseology of high civilization to her serving Magyar woman, of whom she says that 'her mind is barren of all worldly lore.'—So Suzsi in the Tavernicus is but a copy of Jennie Deans. These are deductions certainly from the claims of the writer to original merit; but even when all are made, much will remain. Every now and then an interesting and instructive elucidation of Hungarian manners falls from the pen of the authoress. She more than once mentions the large rattling spurs of the Magyars; and, recalls to our recollection a passage in one of their popular songs which we remember to have heard:

A very pretty piece of dreaming to fancy that a Magyar lad
Can dance in shoes and shortened hose, like any shabby German clad;
With plumes to shake, and spurs to rattle; and pearl-deck'd maidens
 bright with joy;
Come then and see the Magyar dance—come then and see the Magyar
 boy.*

The first of the stories (Cassian) is decidedly the best, in our estimation. It occupies the whole of the first volume, and about a third of the second; of which second volume the paging begins at p. 329, showing how the volumes which were intended to be two, are swelled into three, in order that a higher charge may be levied on the public.

There were two brothers of the Zeriný (Zriny) family, one of whom (Joséf) had by marriage entered into the proud circle of Magyar aristocracy at Pesth—the younger had been living in all the splendor of prosperity, a merchant at Trieste. Adversity overtakes the adventurer, and he dies "a bankrupt and a beggar," leaving a beautiful daughter, Iölina, to the care of his elder brother, whose son, Cassian, had from his boyhood loved the now-orphan girl. Joséf Zriny hastens to Trieste, in order to

* Még azt mondják: nem illik a' tancz a' Magyarinak
Mint ha néki czipellő's fél nadrágot varrnak:
De a' pengős sarkantyúnak, kócsagtollas tőnek
Illik gyöngyös pártának, Magyar főkötőnek.

convey Iölinä to her abode, and on their way thither, the following conversation takes place, which we introduce as containing an admirable portraiture of national character.

‘They traversed the dreary marshes of Croatia; in whose desolation the creeping tortoise, and the pelican flapping its wings against the rustling reeds, alone abide. The cry of the bittern makes their music—the feathers of the heron, their riches; and Iölinä gazed upon the rude and threatening aspect of their scanty human inhabitants with dismay. She observed that her uncle, as well as his *heiduck* and *jäger*, was armed with more than ordinary precaution; and when the *postmeister* of a lonely village insisted upon their taking a circuitous rout, in order to avoid a tract infested by robbers, or, as they style themselves in Hungary, *szegény legény* (poor fellows), she looked wistfully towards Zeriny, and inquired whether the road they were travelling, afforded reasonable grounds for such alarm.

‘“The country you are about to inhabit,” he replied, “and which I trust, dear child, you may learn to consider your own, will suggest many such inquiries. We are come of a rude race, Iölinä; a race of warriors, whose foot hath been forced to rest in the stirrup, and whose hand upon the sabre, in order to resist the incursions of the barbarous tribes by which we are surrounded. Turks and Tartars, Moslems and Idolaters, have equally retarded our advancement in civilization, by impeding the cultivation of those arts of peace which form the true wealth of a prosperous nation.”

‘“But you speak, dear uncle, of the troubled days of the olden time.”

‘“Remember, that so recently as the year 1682 the Turks had possession of our capital; and since that period, since the gratitude entertained by the Hungarians towards Leopold the first, for rescuing them from the Turkish yoke, rendered their crown hereditary in the House of Austria, we have been deprived of the advantage of an independent government, and of a resident sovereign. Such, Iölinä, are the mischances which have prolonged the existence of feudal law in Hungary, long after the causes which suggested its adoption have ceased to exist. The Hungarian nobles, in affording their land personal defence against invasion, as well as maintenance for her armies, might fairly claim exemption from the ordinary duties of a citizen, and the subsidiary taxation of a subject. But, thanks to Providence, the banners of war have long been furled; and peace demands protection, in her turn, for the sons of her commonwealth.”

‘“My dear father hath often assured me,” observed Iölinä, “that since the abolition of villanage in Hungary, the condition of the peasants has been greatly ameliorated, and that the emperor Joseph II., in rendering back to the nobles the rights of which he had deprived them, insisted upon the retention of that protecting edict so important to their vassals.”

‘“The *urbarium*, or contract between lord and peasant? True, Iölinä; nor is it upon the labouring classes that the injurious effects.

of the existing constitution fall the most heavily. You are aware that during the early troubles of the kingdom, when its monarchs were constantly harassed and driven from their capital—their revenues impoverished—and their resources exhausted—a grant of nobility afforded their only means of exciting or rewarding the loyalty of their subjects. Thus whole districts were ennobled at once. You will find that my herdsmen and miners, and domestic servants are noble, and have a voice in the legislature of their country; while their master, although assuredly their superior in education, wealth, and liberality of sentiment, is for ever excluded therefrom, and must remain classed below them in the scale of national estimation. Yonder untutored savage, who is driving the plough, wrapt in his undressed sheep's skin, hath, I doubt not, a patent of nobility in his pocket; which would not only sanctify any insolence he might be pleased to exhibit, but enable him to opine in the senate of the county; which secures him from arrest, ay, even in case of murder—until the crime be proved in three several courts—and even when proved exempts him from capital punishment, and renders himself and his successors free from taxation or tribute of every description."

"It is then upon the middle class that the burden falls so heavily?"

"Even so. In extending the commerce of my native city, I have had to combat every difficulty that prejudice and pride, and a vicious constitution could throw in my path; and although the fruits of my industry pour a ten thousand fold richer tribute into the Hungarian treasury than is exacted from the united nobility of the kingdom, yet am I stigmatized as worthless to the state; and am liable to be insulted, reviled, smitten, by those whose brutality is authorized by the law of the land. You will not wonder then, Tölina, that a class so heavily oppressed—the extensive and valuable class of middle life—should exhibit the stains of the fetters they are so ungenerously condemned to wear; that they should remain obscure, unaspiring, ignorant, and unpolished; and that the magnats should fly from all contact with so degraded a society. You will find Absenteeism to be the prevailing evil which retards the civilization of our ancient kingdom, now alas! reduced to the degradation of existing as an Austrian province. All the leading nobles whose opulence and enlightenment might aid the advancement of their native land, carry their splendor and their costliness to the foot of the emperor's throne. The mightiest names of Hungary now belong to Vienna."

"But surely Pesth retains a sufficient number of the magnats to form an honourable society?"

"We have, indeed, many noble lovers of their country settled among us, in patient expectation of the dawning of a brighter day. In Buda, where the court of the Palatine affords them some shew of favour, they are still more numerous; and in Presburg, whose vicinity to the Austrian capital insures them higher refinement, and lighter pleasures, the ancient hotels of the nobles are permanently occupied. But, generally speaking, the magnats fly from the im-

poverished aspect of that wretched country which owes its miseries to their predominance; and which requires but equal administration, and a liberal constitution, to take an honourable position among the nations of Europe."

"You have, I perceive, in compassion to my terrors, withdrawn my attention from the original question," observed Iölina. "May I again inquire whether these districts are truly so perilous to travellers as report avouches?"

"The Croats and Selavonians are a rude race," answered her uncle. "Their native lords presume not to travel unarmed; for they know that oppression and destitution have made their vassals desperate. We have now, however, nothing to fear. Yonder village is Stuhlweissenburgh—all that remains of the ancient residence of the elective kings of Hungary—of the superb *Alba Regalis*."

"The constant incursions of our barbarian neighbours," said Iölina, "must have been indeed, fatal to the interests of antiquity."

"They spared nor monument nor archive. We are equally destitute of written literature and of historical records. But you are tired, love," said he, interrupting himself, as they entered the paltry town, or rather village, once so celebrated under a royal name, in the Hungarian annals; "tired of my homily, and of your journey. We will rest here for the night."

"They drove accordingly into the three-sided building, whose *piátza*, extending round a court, announced the inn of Stuhlweissenburgh. An external staircase and balcony ornamented the inner wall; at the foot of which, the waiter—booted, and spurred, and mustachioed—was lounging in easy negligence. Several tame storks were stalking through the filth of the court-yard, and digging their long bills into its mysteries of dirt and rubbish. The disorderly air of the establishment, and the careless coolness of its directors, afforded to the weary travellers just as repulsive a reception as may be met with in every inn of every road in Hungary."—Vol. i. p. 12—20.

We do not quite understand, by the way, how an Hungarian nobleman can be made to say that 'Hungary is equally destitute of written literature and historical records.' The Magyars have abundance of both from the beginning of the 18th century downwards. A variety of rhymed chronicles are associated with the earliest history of Hungarian literature. They have poetry flowing into a continuous stream from the time of Sigmund (who died in 1437), down to the present hour. Their drama is two centuries and a half old, and if not rich—they believe themselves to be rich in every department of literature.

But to our story. Cassian's mother in whom all the pride and scorn of aristocracy are condensed—one of those vain and selfish personages, who are to be seen fluttering about most kingly capitals—creatures of primogeniture, hereditary rank.

and title—is dreadfully alarmed lest her son should fall into the snares of the Italian damsel—and had before the coming of the visitor been exerting her authority to prevent all familiarity between the cousins. Iölina arrives, and is struck with the reserved manners of him with whom she had always been accustomed to indulge in unchecked playfulness. She hopes to perceive a change, but the seeming chill grows colder and colder; and while the parents of Cassian are plotting for him a grand matrimonial alliance, he himself is pining in secret passion for Iölina, who in her turn mopes over the apparent indifference of Cassian, who is content to love in silence, while he outwardly obeys his mother's mandate. Iölina seeks a resource in an old nurse (Mariska) who had been in former days the topic of her father's praise and gratitude, and who is a striking personification of Magyar prejudices and Magyar virtues. The beldame tells her that Cassian loves her, and awakens a new hope-spring in her heart; but new instances of seeming neglect and indifference freeze it up, and Mariska, who has obtained considerable influence over her, and who believes that a happy union can never be accomplished, would have her favourite ally herself with one of noble Magyar blood. Meanwhile a union is projected by his parents between Cassian and a Hungarian countess, and Iölina accompanies her uncle across the Danube to visit the heights of Blocksberg; and while waiting there the return of her uncle, who had left her in an exposed situation to visit a friend, (a rather uncourteous abandonment it must be owned) Cassian unexpectedly appears; there he passionately utters his thoughts; and there is told, by Iölina, what she has heard from his father, that his mother is at that moment obtaining the archducal sanction to his union with the countess; she talks of the one consolation left her; that of never having disobeyed *her* father; and makes a solemn and impassioned vow, that she will never thwart the projects of *his* parents, and never receive his wedded faith. They part, in sorrow and silence. The uncle returns; finds that Cassian has been with her. In an impulse of natural feeling, he, recalling the oath he swore as her father's coffin lowered to the dust, "that he would exercise all a parent's tenderness towards her," offers to break off the intended connection. But her vow is on her heart; she refuses; it must be her happiness to forget Cassian.

They return to the capital; but Cassian has already left it to visit other lands, to chase the memory of thoughts that were; and the baroness takes occasion to remind her niece that her vehemence and inconsiderateness had rendered impossible that

which might otherwise have been. As Iölina is no longer an impediment to Cassian's elevation, she is more an object of attention to her ambitious aunt; and soon becomes the bosom friend of the princess Sidonia. Mariska suddenly dies, foretelling that Iölina's offspring shall bear a name of honour. A perilous indisposition attacks Iölina immediately after the death of the old Magyar nurse, and Sidonia is unwearied in watching over her, and endeavouring to subdue her desolate sorrows. It is then that Sidonia informs her patient that she has a brother, count Lingotski, who had been banished two years before to his estates, for having somewhat too peremptorily vindicated the ancient rights of Hungary. His character she exalts; his conduct she justifies: meanwhile the medical attendants come in, and decide that Iölina shall visit the baths of Mehadia to complete her convalescence, a project to which Sidonia offers no objection. Arrived here, she swiftly recovers her health; and it is soon discovered that Lingotski has found his way to Mehadia. After certain aristocratical coquetries, a meeting takes place—he becomes enamoured—though haughtily and Magyar-like, of course; and soon arrives a letter from Sidonia, communicating her fondest hopes that Iölina may be the bride of her brother. A hint too is dropped from the baroness, that Cassian had condemned himself to wretched exile, till another choice should enable him to return; which extorts from Iölina the declaration that she “cannot love.” She writes to Sidonia to tell her that her heart is a desert; that she has no affection to offer; that the spring is dried up; and intreats her to wean the count from his purpose. The answer comes, vague but affectionate; and the same day Lingotski seeks her; tells her how her presence has changed his soul; wakened its hopes and joys; and extorts from her a cold concession, which he believes will expand hereafter into fondness. Betrothment and marriage follow; and Iölina gives all she can give of sympathy to her lord, and struggles to give more. Many little evidences of interest seem to promise a tranquil if not a turbulent happiness; but Sidonia who had heard the jealous and distrustful character of her brother, informs Iölina at the moment of her departure from the nuptial festivals, that she had concealed from Lingotski every particular connected with Cassian. This communication freezes the heart of Iölina, who feels that Lingotski has been betrayed into making her his wife. Together they return to the count's castle on the Platen Sea. There again and again had she to listen to the expression of his delight, that he had possessed himself of the first affection of an unsullied heart; yet now,

and then when she referred to her birth and origin would he become impatient. But the winter months were passed in peace and pleasures. One day Lingotski inquires 'Who is this baron Zriny, of whom Sidonia writes as one of the leading gallants of Vienna?' 'My cousin Cassian.' And then by the count's answer Iölna finds that there is an old ground of enmity between them. In one of their wanderings on a hunting party in the neighbourhood of the castle, Iölna falls in with a tribe of Walachian gypsies, and, impelled by a common curiosity, she requests the oldest of the women to unveil her futurity to her. Those who overheard her, as covering her face with her garment she uttered some awful sounds, entreated the countess not to listen; but their interference increases her anxiety, and she insists on having the prophecy translated.—p. 211—212.

'The countess spoke in a tone of decision that brooked not further remonstrance. Nadasch bowed with reverence to his patroness, and after some interrogation of the beldames who felt, or affected, a reluctance to reiterate their sentence,—he proceeded to render it into German as follows:—

' "On the verge of the garden of many flowers lies the horrible, and reptile-haunted desert. Bride of Lingotski! thy pathway is about to turn from the blossomy way, into that lonely wilderness.

' "In the recesses of the human heart, the passions of corruption lie intertwined with virtuous impulses. Bride of Lingotski! it is thine henceforth to call those monsters into existence, which live but to crush their feeble companions.

' "Thou, and those of thy race, shall perish by the will which is dearest to thee—some by break of heart—some by blood outpoured;—and thou wilt live but to feel thyself a wife, yet widowed—a mother, yet childless, and thy grave shall"—

' "Nay! by Heaven above, this must not be spoken"—

exclaims one of the attendants, and the scene is interrupted by the arrival of Lingotski and his companions.

A sudden arrival on their return homewards arouses her from her terrors. It is a messenger summoning Iölna to the death-bed of her uncle. On her way thither she drops in her dreams, expressions then unintelligible to Lingotski, and on reaching the chamber of the baron, he overwhelms himself with reproaches, that he had sacrificed his son to the sordid purposes of pride and ambition. He intreats her pardon in passionate agitation, for having blighted her hopes, nor will he hear her declaration that she loves Lingotski. When Iölna leaves him, she finds her husband has suddenly departed. The baron dies, and she takes her lonely way to the count by whom she is received with the fiercest vituperation. He calls her fiend and reptile—he had overheard the conversation with

Zriny ; he will listen to nothing, but overwhelms her with cruel insults ; she cannot bear it, she withdraws in silence ; and a letter is brought to her from the count, commanding her to return to the castle, and in the most peremptory terms forbidding her all intercourse with his family ; she hurries to her husband's apartments, he was gone, and the carriage was waiting to convey her to the castle. The count had departed for Servia, after writing in vague terms to his sister, of Iölinä's infidelity ; and to his steward, that she is to be confined to the castle domains. She journeys thither, and meantime she has heard of Cassian's return to Vienna, summoned by his father's illness ; but misery and alarm overwhelm her, and when believed to be exhausted and dying, she gives birth to the heir of the House of Lingotski. A term seemed added to life by contemplation of the babe, who grew in strength and beauty, while his sire was wandering through the East, living a life of vagrancy, and vice, and sorrow, accompanied through many adventures by a female disguised as an Armenian page, and on one occasion rescued from a perilous scuffle in Egypt, by the address of two travellers, an Englishman and a Frenchman ; the Frenchman, a profligate perfidious fop, the Englishman (Howard), a decent, straight-forward, well-meaning, Catholic cosmopolite. They become better acquainted, and sail for Venice together ; and a discovery is at last made by Howard, that the unknown traveller is the brother of that Sidonia, in whose heart he had made a deep impression. Howard is accepted as Sidonia's lover, and it is at this period that she interests him in favour of Iölinä, and shows to Lingotski how she had been the thoughtless, unintending cause of his cruel injustice to his wife ; but on engaging Howard to assist her in bringing about the good work of reconciliation, he finds that the sarcastic power of the Frenchman (Courval) is likely to be a very serious impediment. In truth Courval possessed an important secret, and had learned the nature of the connexion between Lingotski and the Armenian page. Lingotski urges him to endeavour by bribes to get rid of the companion to whom he had become indifferent, but she flung away the gold that was offered, and vows that hatred shall bind her as closely to him as love ever did. Lingotski determines on returning to his paternal seat, but he is accompanied by the jesting fiend Courval, and he cannot fling off his disguised associate. Meanwhile Sidonia had written to Iölinä, and scarcely had the count departed ere Sidonia receives a letter, gently complaining of her levity and forgetfulness, telling her that she had mastered the struggling remains of old affection, and that her bosom had acquired the calm, the almost frozen

calm of peace, disturbed no longer by more than one affliction, that her boy, her dear boy, was "a cripple." She only asks one favour, that her tranquillity may not be broken by the presence of one who has been well nigh forgotten. Though Lingotski was received with enthusiasm in his native district, yet as he approached his castle, the testimonies of attachment grew less and less marked: his long absence, his abandonment of the countess so beloved by all, had left an indifference towards him on which he had not calculated. They meet; she receives him with cold and quiet dignity. "In his agitation he could not even ask for his son, whom she soon introduces, imploring for him his protection and love—the boy falls at his father's feet; rageful pride obtains the mastery over all the struggling passions; he spurns his only son: "Go! shapeless imp! follow thy cold-hearted mother! Lingotski's curse rest upon both!"—"Shame on thy unmanly soul," exclaimed the Armenian page, who lingered on the spot, "I reverence the contempt she hath flung upon thee!" In the spirit of the boy, his father's curse left its withering power. Another scene occurs in which the Armenian rescues the child from brutal violence. Courval adds to the involved interest of events by unveiling his own criminal designs upon the countess, who, overwhelmed with the accumulation of miseries, determines to quit, with her child, the spot with which their recollection is associated.

Accompanied by a Slavonian attendant, she finds a retreat in a poor village occupied by the soda-gatherers of Vanicza, and there indulges the hopes that with her boy she may pass unmolested days; but an inhuman plot has been devised by Lingotski to tear her son from her arms; he obtains a decree conferring the perpetual wardenship of his child on the monks of St. Francis: a cortège arrives at Iölina's cottage; the mandate of separation is placed by the fiscal in her hands. The parting scene is well painted; the Slavonians desirous of rescuing the child, but restrained by the authority of the monks who accompanied the fiscal—the prayers—the pitiful pleadings of the mother—but the boy is removed—and the countess determines to follow, and to fling herself at the feet of her husband in order to obtain back her child: she finds Lingotski has abandoned Hungary; she goes to the convent hoping to be allowed to see her son; this is denied to her. One day while she is praying in the convent-chapel, she is accosted by Sidonia; she intreats her to make an attempt to obtain the interference of the Palatine; the attempt fails; they are received with that impassive and freezing courtesy which belongs to a court. The Palatine will not risk in such a matter, the resentment of the Hungarian magnate.

Sidonia attempts to interest her brother, who, as we ought to have said, has returned some time before to the capital. There an explanation takes place of all the calumnies which had assailed the character of Iölinä; and the mists which had surrounded him were dissipated at once. Iölinä is there, smitten by hopeless misery, fading and dying; he makes a great effort; he obtains from the primate admission to the prior. His eloquence removes every impediment; he obtains permission to restore to her child Iölinä. Cassian follows his sister to the chamber where death is gradually becoming omnipotent—

“Cassian is here,” said she, “thine own old faithful friend.”

“Faithful!” repeated a hollow voice, whose accents thrilled to his very heart.

“He hath brought us good tidings, sweet sister,—renewed hopes.”

“Cassian Zeriny was the first who wrought me earthly sorrow,” said the same faint accents, “it is not unfitting that he should be the herald of my consolation. Yet what will it avail,—the hand of death, Sidonia, is heavy on my heart!”

The boy is brought; “the smile of maternal love had impressed itself eternally on the marble face of death”—her eyes looked vacantly on the child—the mother was dead.

The rest is soon told; every passion in the mind of Lingotski concentrated into rancorous hatred against Cassian, “the curse of his destiny;” Lingotski becomes his murderer; and then, his own destroyer.

Such is the plot of this touching story; and its details are, for the most part, admirably filled up; the rest are not equal to it in pathos and power, but they are generally excellent.

In heartily praising the graphic eloquence of the writer, we must not be understood to vouch for her historic accuracy. Her character of the emperor Joseph in the Infanta of Presburg is mere imagination; and her estimate of his policy towards the Hungarians, wholly unsupported by evidence. His very obvious motive was, to root out the Magyar, and to plant Austrian affections; and the measures he took, by banning the language, interfering with the habits, and insulting the prejudices of many millions, do no honour to his intellect nor to his affections. Our authoress represents him as merely struggling to put down the proud Hungarian nobility; and if his object had been the improvement and elevation of the Hungarian people that end would have been answered; but it was a personal affair between himself and the Magyar magnates, in which, whatever pretences he may have put forward as to his popular intentions, all the facts prove his hostility to every thing which bore the Hungarian name. The world, after long experience, is begin-

ning to look with mistrust and incredulity on professed voluntary cessions made by monarchs in favour of popular privileges. Princes are no exception to the good old rule :—

“ That all should take who have the power,
And all should keep who can.”

Apprehension, acting upon the minds of governors, is the instrument by which the governed obtain beneficial changes. Something is ceded to-day, lest more should be claimed to-morrow. While man is man, we must not expect miracles to be worked in favour of humanity. Kings will not readily yield, what they can safely retain, whether in the shape of wealth, or power, or fancied dignity. The nobles of Hungary were checks upon Austrian rule, and therefore a source of annoyance to Austria.

ART. VIII.—1. *Report from the Select Committee on Anatomy.* Ordered by the House of Commons to be printed, 22 July, 1828.

2. *A Letter to the Right Hon. the Secretary of State for the Home Department, on Anatomy, &c.* By G. J. Guthrie, F. R. S. Professor of Anatomy and Surgery to the Royal College of Surgeons, &c. &c. Octavo, p. 37. Sams. London. 1829.

WE return to the consideration of a subject in which we take a deep interest, and in which we have endeavoured, we hope not wholly in vain, to excite an interest in others. Since we last entered on the discussion of this question, events indeed have occurred, which have directed the public attention to it with intense and fearful anxiety, and which will at length force the legislature to interfere. Still, however, this is a matter of paramount importance, which it is necessary to consider with calmness and candour. If it be really attended with serious difficulties, that is an additional reason why the entire subject should be fairly met, and fully investigated. All the facts of the case are now known, and certainly nothing more is required to arrive at a just and wise decision, than to examine these facts with a sincere desire to learn from them, what the permanent welfare and security of the community demand, and a willingness to sacrifice to the accomplishment of these objects every minor consideration.

The Committee appointed by parliament to inquire into the subject, entered on their labours with zeal, and continued to prosecute them to the close with great diligence. They spared no exertions to investigate the matter thoroughly, and to bring out the truth on all the essential points connected with it. The most distinguished anatomists, physiologists, phy-

sicians, and surgeons, the most respectable magistrates attached to the police, several policemen, and some of the resurrectionists themselves, have been very searchingly examined, and the result of the inquiry is a complete exposure of the most important circumstances of the case. Much valuable information has also been obtained from the examination of foreign physicians and surgeons, and of English professional men, who have studied and practised abroad, relative to the expedients which are successfully adopted in other countries: and upon the whole of the facts that have been elicited, the committee have founded a temperate and judicious report, in which measures are recommended, which every candid person must admit to be moderate, to which no practical difficulties appear to be opposed, and which, we are satisfied would prove effectual.

We do not deem it at all necessary to enter at present into any statements, to shew the absolute necessity of anatomy. If this were at any time requisite the task has been already performed. In "The Use of the Dead to the Living," we entered into a particular examination of several of the most serious and alarming diseases to which the human body is subject, such as aneurism, hernia, hæmorrhage, and so on, in order to shew from the nature of such diseases, that death for the most part is inevitable without surgical aid; and that no safe, and certainly no effectual, surgical assistance can be afforded, without a profound acquaintance with anatomy. Authority, however, has oftentimes more influence over the human mind than reason; and at all events impressions, in order to be sufficiently deep and steady to lead to action, require to be repeated. For these reasons, before entering on the points we have more immediately in view, it may be worth while to lay before the reader a few of the statements of the most eminent anatomists and surgeons of the present day, relative to this subject in their own words.

"Without dissection there can be no anatomy, and anatomy is our polar star, for without anatomy a surgeon can do nothing, certainly nothing well.—The cause which you, gentlemen, are now supporting, is not our cause but yours; you must employ medical men, whether they be ignorant or informed, but if you have none but ignorant medical men, it is you who suffer from it; the fact is, that the want of subjects will very soon lead to your becoming the unhappy victims of operations founded and performed in ignorance.—I would not remain in a room with a man who attempted to perform an operation in surgery, who was unacquainted with anatomy: he must mangle the living, if he has not operated on the dead."—*Sir Astley Cooper.—Minutes of Evidence, 2, 18, 14.*

“ If then anatomy be of so much use in physic and in surgery, it ought to be earnestly cultivated by those who really wish to understand their profession, and to become respectable in it; this is, not a trifling matter; justice and humanity require every exertion where the lives of our fellow creatures are concerned; there are many professions where negligence and inattention may be reckoned a fault, but in ours it is a crime. But anatomy cannot be learnt without the employment of the knife upon the dead body, that great basis on which we are to build the knowledge that is to guide us in distributing life and health to our fellow creatures. The parts of the animal body are so numerous and complicated, that in order to be retained in the memory, they require a strong impression: this cannot be made by the eye alone: the eye is quick and so impatient as to run over a number of objects in a short time: it is therefore necessary that the hand should be employed to confine the wandering of the eye, and to attach it for a sufficient length of time to one object: it is for this reason that lectures by themselves never did make or ever can make a good anatomist.”—*Dr. Baillie*, 3, 4.

“ There can be no knowledge of surgery, and very little knowledge of medicine, without anatomy, nor can anatomy be sufficiently learned in any other way but by dissection of the actual body.”—*B. C. Brodie, Esq.*, 104, 105.

“ It (dissection) is of the highest importance to the public: nothing in life, I believe, can be considered as more important, it is the foundation of all medical knowledge. Anatomical knowledge is not merely requisite in order that we may perform operations successfully; but it is the foundation of physiology; and the knowledge of the structure and functions of the organs and parts of the body is the sole source of our knowledge of disease: it would be little less than the commission of murder, not to encourage and protect dissection; it would be a cause of the greatest aggravation of human suffering. When not long after the commencement of the last war, in consequence of the detection of a case of exhumation, a member of parliament was induced to move for a bill to make the offence felonious, I, with others of our profession, stated to those in power, that there were at the same time more than two hundred young men, who came up annually to London, to obtain a stock of anatomical knowledge, which was to last them throughout their lives, and that at the conclusion of the season, these students were employed in the army and navy, where their services were greatly wanted. I begged those with whom we had the honour of conversing, to reflect on the consequences of sending forth these young men in igno-

rance, to torment and increase the hazard and sufferings of their valiant countrymen. Every conversation ended in this decision, that the study of anatomy was indispensable, and must not be impeded. A knowledge of anatomy enables the physician to detect the early indication of disease, and to check its further progress. The industrious parent of a numerous and happy family may even in the vigour of life, in consequence of neglecting the faulty actions of some important organ of his body, suffer disease to become established, and may thence prematurely perish, leaving the individuals of his family a burthen to society, and an affliction to each other; whereas an intelligent physician could have warned him of the dangers of such neglect, and have shewn him how these errors, the precursors of incurable disease, might have been corrected, and their fatal consequence prevented; yet no physician could do this without a knowledge of the structures and offices of the several organs which compose the human frame; for the knowledge of the healthy actions of organs can alone enable him to distinguish and correct those which are unhealthy, and which, if continued, must prove fatal. A man having that common infirmity, a rupture, might revile those who dissect the dead body; but when the protruded bowel shall be strangulated, his rupture, if left to itself, must bring him to a certain and most painful death; yet he might be relieved from agony and destruction by a single and secure operation, when performed by a person conversant with anatomy, though dangerous in the extreme when attempted by hands not sufficiently practised in dissection."—*J. Abernethy, Esq.* 171, 176, 172.

A knowledge of anatomy lessens beyond all belief the pain and suffering inflicted when an operation at length becomes inevitable. It diminishes beyond what the unprofessional reader could possibly imagine the frequency of operations. "If Mr. Hunter, who was the father of modern surgery, were at this moment to rise from the grave, he would not believe in the improvements which have taken place since his death, which occurred thirty-four years ago: and if you ask for an illustration of this, I will mention an instance. A man, when I was first at St. Thomas's Hospital, which was in the year 1784, used to exhibit himself, and receive money from the students for the exhibition, because he was one of those remarkable persons, who had recovered from an operation for what surgeons call popliteal aneurism; which disease arises from the giving way of an artery in the ham; and for which it is required that the artery of the thigh should be tied; this man had the artery tied, and recovered. At the present moment there is not an indi-

vidual in London, who would not be ashamed of himself if he could not perform that operation, or tie any of the accessible arteries in the body. Surgery is also improved in the diminution of operations; for at the time at which I first entered the profession, I should say there were at least three operations for one at the present moment: at that time a man who had an injury to his head was very generally trephined; but now that operation is rarely performed. At that time limbs were amputated for compound dislocations; but now very rarely. This diminution of operation is to be ascribed to the inspection of the dead, which leading to the knowledge of the changes which parts have undergone from accident or disease, the surgeon is in this way taught the impropriety of his ancestor's practice."—*Sir Astley Cooper*. 5, 6.

"If the means of dissection were more extended, I should hope there would be still fewer operations on the living body, in consequence of the additional information we should obtain as to the mode of curing diseases. A person who is ignorant of the mode of performing operations, will very often leave his patients to such a stage, that the operation would become useless; he would put it off to the last, instead of performing it at the proper time; though in some instances surgeons would perform operations, where, if they were better informed, they would see that they were unnecessary."—*Cæsar Hawkins, Esq.* 353, 354.

There is not an individual in the community whose life may not depend at one time or another on the knowledge of anatomy possessed by the medical man he may chance to consult. There is not an individual whose welfare and the welfare of those most dear to him is not at all times involved in the thorough education of medical men in general. That thorough education can be communicated only by a certain process; that process it is impossible to follow in the present state of things in this country. There is not one medical man in a hundred who receives while a student even a tenth part of the information which he ought to acquire. Of this general deficiency in the education of medical students, the opinion entertained and expressed by all the physicians and surgeons examined by the Committee is perfectly uniform; and the deep impression upon their minds, as abundantly manifested by the evidence they gave of the seriousness and extent of the evil, is truly alarming, and ought so to be felt by the public. "It frequently happens at the Royal College of Surgeons," says Sir Astley Cooper, "that we have to deplore that some are obliged to be rejected on account of their imperfect information; and it is the more to be regretted, that it is often not the fault of the individual, for he has taken all the

pains that could be required of him, but it unfortunately arises from the parents having mistakenly entered their children with persons who either on account of the expense of anatomy, or from the difficulties in obtaining bodies, are really unable to instruct those who become their pupils ; and, at the last meeting but one at the Royal College of Surgeons, we were under the necessity of rejecting a man, into whose character we afterwards inquired, and we found he had been a very industrious student ; but when he was asked the situation of an important part of the body, he had never seen that part, and he did not seem to know of its existence ; he was not at any rate informed of its situation, and he was obliged to be rejected on this ground. It was found that he had never seen the part, either in the dead body or in a preparation. The result is extremely painful to our feelings, for we are punishing the sins of the father upon the child ; we are doing that which the young person does not deserve, because he has industriously studied his profession as far as his opportunities permitted, and yet we are obliged to reject him because opportunities have not been furnished to him of learning his profession, and he would become a curse to the public."

"The great mass of pupils cannot have what I should call a complete education," says Mr. Brodie, "because a complete education ought to occupy four or five years, but the majority of students are in London not more than a year and a half. If a more extensive system of dissection could be introduced, the evil might be rectified, as in that case very good medical schools might be established in Birmingham, Liverpool, and other large provincial towns, where the young medical men in the neighbouring districts would be educated at a much less expense than in London." Mr. Lawrence states that the generality of pupils pass two anatomical sessions in London : that that may be said to be the general practice : but that, in order to make a person thoroughly acquainted with anatomy and other branches of medical science, several years are necessary. And Mr. Abernethy affirms that the labour of an education to qualify a man to be a perfectly good surgeon is beyond all belief.

The number of bodies which every student ought not only to be allowed but required to dissect, because absolutely indispensable to give him the information necessary to enable him to practise his profession with safety and advantage, is variously estimated, the lowest number being three, and the highest ten and upwards. Sir Astley Cooper states, that if the pupil be afterwards to practise surgery, three bodies are required, two for anatomical purposes and the other for operations on the dead ; and that less than this would be ineffectual. Mr. Brodie

thinks that every pupil in the course of what he would consider a very complete education, would require to dissect more than five bodies ; Mr. Abernethy allows the same number, and states that if that number were carefully and diligently dissected, and the student at the same time observed the dissections made by others, he would at the end of such a course of education become a very competent surgeon ; not a perfect surgeon ; for half a man's life must be consumed before he can be considered as a proficient. In this opinion Mr. Lawrence, Mr. Green, and Mr. Grainger concur ; but professor Pattison thinks that every surgical student, in order to be at all qualified even for the duties of a country practitioner, where it is not to be supposed he would be called upon to perform serious operations of surgery, ought to dissect at least the four great systems ; to dissect these at least six times over, so that twelve subjects would not be too much ; and Dr. Barry, in fixing the minimum number at eight, states that there is no eminent surgeon in Paris who has not, in the course of his education, dissected and operated upon more than thirty subjects.

Sir Astley Cooper informs the committee, that there are about seven hundred students of anatomy in London, and that only four hundred and fifty bodies are annually dissected ; this affords somewhat more than half a body for each pupil. Let the reader compare this number with that which all these professors and practitioners concur in representing as absolutely indispensable to communicate to the pupil a competent degree of anatomical knowledge, and judge what must be the amount of the information actually acquired under the present system.

The indifference of the British public to the education of their medical men, and the criminal apathy of the legislature to the well-known deficiency of that education, afford a striking contrast to the feeling and practice of foreign countries. *They* know the value of anatomical knowledge to the community : they insist that every one who is to practise surgery and medicine, should make themselves thoroughly acquainted with it, and while they render the acquisition imperative, they afford ample means for attaining it. It is stated by Dr. Barry, that in Paris every candidate for the degree of doctor, either in medicine or surgery, must pursue a regular course of study for four consecutive years in the School of Medicine ; that during this period, he must pursue several courses of practical anatomy ; that both for dissection and for the performance of the principal operations on the dead body, an abundant supply of subjects is provided. In Germany, the period of study is four years : actual dissection is indispensable : the student is supplied

with as many subjects as he requires ; and in his first examination for his diploma, his skill is put to a test which cannot fail to try it effectually. The candidate must take by lot one part of the human body, of which he must make a preparation : he must dissect it so as to shew distinctly the arteries, the nerves and so on : he must then explain it publicly, and in fact make a lecture upon this part of the body ; next, by another lot, he must perform an operation publicly upon a dead body, or upon two dead bodies : he must make bandages for it publicly before the committee, and all who like to be present ; and besides all this, he must cure two surgical and two medical patients.—[*Gustav. Himley, M. D.* 669]. At Vienna, one of the public examinations consists in the performance of operations on the dead body, which are determined by lot : the candidate describes the surgical anatomy of the parts ; lays down the indications for the operations ; performs them upon the body before him, and applies the proper bandages. [165]. In Italy, a study of six years is necessary to obtain a degree for higher surgery ; the practice of dissection, and the performance of the principal operations on the dead body, are indispensable, and an abundant supply of subjects is afforded the student in the prosecution of his pursuits.—701, *et seq.* :

Mr. Brodie admits, that no English student of ordinary education, when he leaves the schools could acquit himself of a trial similar to that to which the German student must submit : that the English student is required to perform only two courses of dissection ; that this, considered as a system of surgical education, is exceedingly imperfect, and that instead of two courses of dissection which occupy one year, four or five are necessary to afford that complete instruction without which no surgeon ought to be allowed to practise [165]. Mr. Lawrence, in stating that hard study and laborious dissection during several years are needful to render a person thoroughly acquainted with anatomy and other branches of medical science, declares, that from what he knows of the education of foreign medical students, he is convinced that they are in general much better qualified in anatomy than the English ; that anatomical knowledge is much more diffused, and is carried to a much greater extent in France, Germany, and Italy, than it is in this country : that the cause of this superiority for the most part is, the greater facility of procuring subjects for dissection in these countries : that the performance of the principal operations upon the dead body is absolutely indispensable : that such operations cannot be performed on the living body, without the risk of serious and fatal errors, unless the surgeon shall have

acquired a knowledge of anatomy generally, and have repeatedly operated on the dead subject : that he is in the habit of seeing many medical persons from France, Germany, and Italy, and from his intercourse with them, has found anatomy to be much more extensively and successfully cultivated in these countries than it is in England, while he knows from their numerous valuable publications on anatomy, that they are far before us in this science, there being in the English language no original standard works at all worthy of the present state of knowledge ; and that by far the best class of English students, are those who have studied in foreign schools, such students having in general received a good education in England, and being able to afford to expend more money on their education than the generality of students, having afterwards pursued their studies abroad. Sir Astley Cooper states, that the price of bodies is now carried so far, that the pupils are prevented from receiving a proper education ; and he adds — *I assure the committee it has been observed in the College of Surgeons that our young men within the two last years have declined with respect to their knowledge* [97]. But the most important statement, that in which the public is most deeply interested, and with which they ought to be made well acquainted, is the admission of Henry Field, Esq., Deputy Warden of the Society of Apothecaries, who acknowledges, that for obtaining a diploma from the Apothecaries Company, actual dissections are not required, while he admits that the persons licensed by this company, practise in the country as surgeons, without passing an examination at the College of Surgeons in London : that a person who thus practises as a surgeon with only an apothecary's diploma, can be restrained by no legal authority : that it is in his power to operate, wherever and for whatever he pleases : and John Watson, Esq., Secretary to the Court of Examiners of the Apothecaries Company, states, that the only reason why the Court of Examiners do not require the persons who come before them for examination, actually to have dissected, is, because, by the law of the land as it at present stands, dissections cannot legally take place : that the court therefore do not require persons to subject themselves to the penalties of a misdemeanor, in order to comply with the provisions of the act of parliament ; that without doubt, if the legal impediments to dissection, were removed, the Apothecaries Company would require actual dissection as a qualification : that they are fully aware of the importance of dissection to the attainment of anatomical knowledge ; but that since no person can practise as an apothecary without obtaining a certificate from the Court of Apothecaries, it appeared improper

to demand of candidates, as a qualification for such certificate, the performance of an act which under the existing difficulty of procuring subjects, would often be perfectly impracticable, and which if practicable, might, as the law now stands, render the party liable to the penalties of a misdemeanor: that the Court of Examiners are therefore desirous that the difficulties and dangers which at present impede the study of anatomy should be removed, because it is their opinion, that without a knowledge of anatomy, medical students cannot obtain that skill and ability in the science and practice of medicine, and that fitness and qualification to practise as apothecaries, which the act of parliament requires.

Thus then it appears, according to the authorized and official statement of the Court of Examiners of this company, that the persons who come before them for examination cannot be qualified for the performance of the duties of their profession, without a knowledge of anatomy: that a knowledge of anatomy cannot be obtained without dissection: that nevertheless they require of no candidate, any testimonial that he has dissected: that in granting a diploma to such a person, they certify, that he is qualified to practise, although they have no evidence that he possesses a particle of that knowledge which must be the foundation of such qualification: that accordingly once possessed of his diploma, the candidate imagines he is qualified to practise any thing, and the public permits him to practise any thing: that he may set up as a surgeon wherever he pleases, and perform any operation in surgery he chooses: that in point of fact in the country, these are the persons who are daily called upon to perform, and they are the only persons who are at hand to perform any operation that may be required—the most difficult of course, occurring in their ordinary proportion: that there are upwards of four hundred persons every year, authorised by this court thus to go forth to mangle, under the name of operating, and to destroy, under the pretence of saving. It would be curious to ascertain, were there any means of arriving at the fact, the number of cases requiring operation, overlooked by these persons: the number of cases not requiring operation, mistakingly supposed by them to demand it: the number of cases requiring operation, but in which no operation can be successful, excepting at a certain stage of the disease, and which stage these persons allow to pass away: the actual amount of suffering inflicted by the non-performance of necessary operations, by the delay of necessary operations, and by the unskilful manner in which those that are attempted are performed; and the number of deaths occasioned by this same non-performance, this delay of

performance, and this bad performance. The catalogue, if it could be placed at one view before the mind, would be startling!

The Court of Examiners of the Apothecaries' Company do not insist upon dissection, because the procuring of subjects for dissection is illegal; the Court of Examiners of the College of Surgeons do insist upon dissection, although the terror of the penalties of a misdemeanor must be equally before the eyes of the candidates for their diploma. We know not, however, whether the public has very much reason to rejoice that the College is less scrupulous than the Company: the Company makes no provision for the public security, and all that the College is able to effect is, to grant to each medical student in London half a body for dissection, whereas, on the lowest calculation, it is affirmed that four is indispensable, and that a liberal allowance would not fall short of twelve; while, therefore, the Company does nothing, the College does the eighth part of that which is stated to be absolutely requisite.

But even this half a body which, according to the present system, may fall to the lot of each medical student—even this eighth part of the allowance which it is universally acknowledged ought to be afforded him—how does he obtain even this supply? By exhumation, and by exhumation alone: there is no other provision. Now, against this mode of obtaining subjects, considered only as a source of supply, there is every objection that can exist against any conceivable mode. Even in years when no particular obstacles are opposed to the practice, and the supply is most abundant, it is inadequate to the extent which has just been stated. It is insufficient to afford the pupil an opportunity of studying the structure, the situation, the connexions, and the various other mutual and important relations of different parts of the body; it furnishes no means of performing the more important operations, and yet the most experienced surgeons, men whose hands have acquired by practice the habit of prompt and exact obedience to the will, and whose eye is familiar with the appearance of the different tissues, and the situation and connexions of the different organs, will not venture to undertake any serious operation without visiting the receptacles of the dead, and performing over and over again upon the dead body the operation they are about to execute upon the living. To the absolute necessity of resorting to such expedients in order to secure the success, nay, even the safety, of surgical practice, Mr. Lawrence gives the strongest testimony. “Operations,” he says, “cannot be performed on the living body without the risk of serious and even fatal errors, unless the surgeon repeatedly operate upon

the dead subject; and yet," he adds, "the supply of dead subjects is so inadequate, that in no school in London are these operations practised by the students; they are unwilling, and, indeed, unable to afford the expense, and the sole reason why the practice is not general is, the difficulty of obtaining subjects."

In the second place, the supply afforded by exhumation is in the highest degree precarious. There may be an overflux to-day, or this week, and none whatever the next. Such is the magnitude of this evil, that the lecturers themselves are often put to the greatest inconvenience for the want of a subject for demonstration, and for this reason are frequently obliged to vary the order of their course, or to give detached lectures totally disconnected from their proper relations, while the evil in the dissecting-room is still more serious. Mr. Grainger states that the whole dissections of a class are frequently stopped for a month, or five or six weeks together; that this delay generally takes place at the beginning of the season, which is the most valuable time, because the students are then most inclined to attend; that if they remain idle for six weeks or two months, or a longer period, the taste is apt to pass off, and this state of idleness to become injurious, by leading to the formation of bad habits. "I have known a school stopped for six or seven weeks," says Dr. Somerville, "because bodies could not be obtained at any price. The resurrection-men are fully aware that when the pupils first come to town, they are anxious to proceed with their dissection; accordingly, they create difficulties, in order to enhance the price; and the pupils not being able to proceed for a certain time, lose their ardour, and get into habits of idleness."

But there are objections of another kind to this practice, perhaps still more serious. It is in its own nature disgusting, and in its effects totally demoralizing. The feeling which leads men to treat the dead body of a fellow-man with every external token of respect is natural to the unhardened heart, and in all ages and countries has been cherished as a useful feeling, by customs which have assumed even a sacred character. We know that the dead body can derive neither pleasure nor pain from respectful observance or ignominious neglect; but the unsophisticated feelings of the heart that still beats with humanity is a sensation at once grave, mournful, and tender, at the sight of a wreck which was what we are, and is what we soon must be. And this respect for the remains of whatever has lived, cherishes a respect for that which lives. The habitual treatment of the dead body with indignity tends

powerfully to induce a state of mind little scrupulous of inflicting injury on the living, and even of destroying life itself. To the appalling confirmation of this fact, which has been recently afforded, and for which the desperation and recklessness of men of this class might well have prepared us, and did actually prepare those who were acquainted with their character, we shall immediately return. In the mean time, it is plain that the practice of exhumation shocks in the most violent degree that feeling for the dead which is natural to the human breast, and which it is wise to encourage; it is itself an outrage; it again brings up the inmate of the tomb, already consigned to his rest, and again places him fully before the view, not only of relatives and friends, but even of the public eye, in the most revolting and disgusting manner. That the poor should be particularly indignant at this treatment of their remains, can excite no surprise. They often deeply feel, and, in the bitterness of a wounded spirit, execrate the hardness of their lot; they imagine, it must be owned with some colour of reason, that they live only for the rich: this detestable practice leads them to suppose that they must still serve their masters even after death has set them free from toil, and that when the early dawn can no longer rouse them from their pallet of straw to work, they must be dragged from what should be their last bed, to show, in common with the murderer, how the knife of the surgeon may best avoid the rich man's artery, and least afflict the rich man's nerve. And because the poor are indignant at such an appropriation of their bodies, it is argued that they have an unconquerable horror at dissection, and some of the rich have been and are base enough, for ends of their own, to excite and cherish these prejudices. But that the poor in general have too much sense, and too just a knowledge of their own interest to entertain any real aversion to dissection, we shall soon adduce indisputable proof.

Proof it is scarcely necessary to adduce of the dangerous character of the agents employed in exhumation, and which, if exhumation does not produce, it confirms and increases. They consist, according to Sir Astley Cooper, of the lowest dregs of degradation. "I do not know," he says, "that I can describe them better; there is no crime they would not commit. As to myself, if they imagined I should make a good subject, they really would not have the smallest scruple, if they could do the thing undiscovered, to make a subject of me." "They are as bad as any men in society," says Mr. Brodie. "When I consider their character, I think it a dangerous thing to society that they should be able to get ten guineas for a body." "They

are," affirms Mr. Brookes, "the most iniquitous set of villains that ever lived." "From inquiry of persons who came on other matters before me, as a magistrate," says Mr. Twyford, "and from conversation with the officers, and my own observation and examination of persons who have been brought before me for other offences, but who have been represented to be resurrection-men, my conclusion is, that the character of the acting body-snatcher is most dangerous to society, as well from being universally infamous and detested, and therefore hardly consistent with any virtue, as from the representation of the fact from the persons before alluded to. I have sometimes wondered at complaints of smuggling and poaching being the causes of crimes of much greater enormity, whilst exhumation and those who live by it, seemed to escape notice." "I should think this class of offenders ought not to be tolerated at all, if possible," says sir Henry Halford, "and for the reason I will now present to your minds; when there is a difficulty in obtaining bodies, and their value is so great, you absolutely throw a temptation in the way of these men to commit murder, for the purpose of selling the bodies of their victims."

Thus we perceive that the commission of crimes such as we now know to have been perpetrated was anticipated. Warning was given to the legislature of the deeds that were likely to be done; the discovery of the actual perpetration of such deeds, on a scale of magnitude, and with a cool and even scientific deliberation that are truly appalling, has indeed too soon come to justify the truth of the prediction. Those whose pursuits brought them into contact with these villains, felt assured that they would not for a moment hesitate at murder, if with a prospect of escaping detection, they could obtain a ready sale for their victims, and at a high price. In Edinburgh the price is higher than in London; the difficulty of practising exhumation incomparably greater; the supply of subjects more deficient, and consequently the demand more urgent. Whencesoever it may come, a dead body that can be conveyed in safety to the dissecting-room, is there sure to be immediately purchased at an enormously high rate. No city can be better constructed for the purpose of entrapping the stranger, and of slaughtering the unsuspecting. It abounds with "dens," into which it is easy to allure, and from which it is impossible to escape. In a single instant you may be taken off the high street, and out of the broad day-light, into narrow and winding passages, almost totally dark, and led into rooms so isolated, and with walls so thick, that it is scarcely possible to make the sound of the human voice reach beyond them. By its unreasonable preju-

dices and absurd conduct, Scotland has held out a direct temptation to the murderer : it has so well protected the dead, as to have produced a most appalling insecurity to the living. And this is the ultimate result of the labours of such ignorant and meddling persons as bailie J—— for example, and one or two others of whom we have heard in Edinburgh, who have done all in their power, and who have laboured with too much success, to stop that supply of subjects which the custom of the place had sanctioned, and which was found unattended with the slightest inconvenience. When great evil arises from misconduct, the true cause of the evil is sure to be concealed by the authors of it, if any efforts of theirs can conceal it. The efforts that are made in the present instance, to avert the blame of the late atrocious murders from those who really occasioned them, and to fix it upon the teachers of anatomy, are indeed too contemptible to deserve notice ; they can mislead only the most vulgar and ignorant, and even those only for the day. We do not hesitate to declare that these dreadful doings lie at the door of those who create the temptation, and that the real creators of the temptation are the men, such as this foolish bailie, whose insane clamour has obstructed the proper channel through which the supply of subjects should come. We repeat that such men are the real patrons of the Burkes and the Hares of our days—wretches whom they call into existence, and whom they stimulate to the perpetration of their frightful deeds. Let such magistrates be continued in office, and let any attention be paid to their babbling, and such a race of miscreants as they have taken so much pains, and with so much success, to nurture, will not fail to thrive, and will ever be at hand to attest by their crimes the wisdom of their patron's counsels, and to form their crown of glory. Men will not murder, even these desperate men will not murder, without a motive ; but they will murder upon system, and to an extent to which no limit can be set, if the temptation be great, and the chance of escape considerable. It is vain to look for protection to the law ; no law can restrain them ; no punishment will deter them : the only effectual remedy is the removal of the temptation ; the taking away the motive ; by rendering the dead body too cheap, in consequence of affording a legal, regular, and abundant supply.

Whatever surmises may have been indulged, whatever vague suspicions may have been put forth for the purpose of exciting alarm, there does not appear to be any real ground for believing that murder has ever yet been actually perpetrated in London for the sake of the dead body of the victim. The fearful

example which Edinburgh has set, too soon, however, may prove contagious. There are spirits in London fully prepared to catch the spark that has been elicited, a spark that may seem to light them to a new path to wealth. The facilities in this great city for pursuing that path, if once it appear to these reckless men tolerably secure, are most frightful. Think of the number of isolated beings in a state of utter destitution, with none to care for them, none to inquire after them; think of the number of strangers that daily and nightly wander about our streets, unknown to a single person among the multitudes that surround them; think especially of the number of children that might easily be decoyed away, or snatched up and carried off and concealed for a time, and then destroyed with perfect safety. If the facility afforded to exhumation amidst this vast population have hitherto been our security, let the character of these men never for a moment be forgotten. Proof has been adduced; proof has been recorded in every variety of form, that they are in the daily habit of committing every crime short of murder: there is no reason to believe that they would for a moment stop short of that, if they were impelled to it by any powerful inducement. It is in evidence before the Committee of the House of Commons, that great numbers of them assume the name and calling of resurrectionists, for the mere purpose of committing robbery with greater facility; there can be no doubt that they would commit murder upon system, and to any conceivable extent, if they could get well and securely paid for it.

A. B. one of the master-resurrectionists, a capitalist, and a *very respectable* man, states to the Committee, "that there are at present in London between forty and fifty men that have the name of raising subjects; while there are but two more besides himself that get their living by it. There are many of these men that do not get four subjects in a twelvemonth: the employment of getting bodies is merely made a cover for pillage; this pretence affords them great facilities for carrying on thieving; because, being out late at night, if they are met by the police, they can say they are out getting subjects for the surgeons. Many of these men keep a horse and cart, and if they do not keep them they hire them: this horse and cart, instead of being employed in carrying dead bodies, is employed in carrying stolen goods. Every year some of them are convicted of house-breaking or stealing." Glennon, the police-officer, estimates their number still higher. He states "that, in point of fact, there are nearly two hundred men in London employed, or rather who pretend to be employed, in raising bodies; that out of

this number there are certainly not more than ten, probably not more than four, who really gain their livelihood by the occupation; that the character of the remaining number is most dreadful and desperate; that their horse and cart are employed merely to carry them out of town, and to transport their booty, and that many of them have been in the hulks, or are returned transports. I have known them go out with the view of obtaining bodies," he continues, "and they have committed burglaries when they have been out, because they have been interrupted in raising bodies! I know of the instance of Hollis and Cave, regular body-snatchers, who were so apprehended; they were taken up, and had six months imprisonment in Maidstone gaol, for having house-breaking implements in their cart. I have known many cases in which different parties of these men have quarrelled, and have broken into one another's houses and stolen the bodies before they could be carried to the theatres; and they have been so violent, that they have cut a body into pieces, and carried it to the opposite parties house, and raised a mob there; a thing which they were innocent of. With a view of destroying the work of another, they go to the church-yard, and leave the coffin standing upright. I have known them fight in the graves." And A. B. states, "that if they find that any one else goes to the same church-yard and gets subjects, and they have not their share in the concern, or when the subjects are sold, if you do not give them a part of the money, the next day they will go and inform against you, and have the grave opened; that has been frequently the case. I have known them to open the graves, and to leave them in disorder, for the purpose of creating an alarm. I have also known them to leave the coffins sticking up in the church-yard." The following atrocity, committed by these men, is related by Mr. Brookes. "A young lady having been afflicted with the tooth-ache, had the carious tooth extracted; but subsequently, a disease arose in the lower jaw, from whence the tooth had been removed; the whole of the lower jaw became enlarged, and continued increasing in magnitude for several years, until at length she seemed to have, as it were, a double head, formed by an immense secretion of osseous and cartilaginous substance, the rictus of the mouth intervening. In this state I saw her about three months previous to her death; and after that catastrophe occurred, the cemetery and grave being pointed out to one of the resurrection-men, a party went in the course of a few nights, and disinterred the body; which they decapitated, bringing away the head only, but leaving the bleeding corpse exposed on the ground, the coffin-lid and shroud

being also left in different places, forming, with the empty coffin, a horrible exhibition to public gaze. The church-yard being at no great distance from the residence of the defunct, a dreadful clamour was soon raised in consequence; having been first excited by some labourers going to work early in the morning, and seeing the shocking spectacle that thus presented itself, the burying-place being only separated from the road by a low fence; and of course the whole inhabitants of the populous village and its vicinity were thrown into a state of outrageous commotion by this iniquitous and unfeeling proceeding of the depredators."

While it is plain that no consideration is likely to prevent men of such reckless and desperate characters from the commission of murder, if the temptation to the perpetration of the crime be strong, the fact that there are two hundred such men in London alone, prowling daily and nightly for their prey, ought to excite in the community the highest degree of alarm. Increase the obstacles to exhumation, raise the price of subjects, keep up the demand for them—the insecurity to life will become frightful: the very trade, the regular and systematic trade in murder, will become the protection of the murderer. Exhumation is the only known vocation in society which affords, by its very nature, an opportunity of committing murder with impunity. It is justly observed by Mr. Guthrie, that the safe disposal of the body of a murdered person is the most difficult part of the crime to accomplish, and that the body more frequently leads to the discovery, and the consequent conviction and punishment of the offenders, than any thing else; but, in the case of the resurrectionist, dead bodies are the articles in which he deals; no suspicion can attach to him for having such bodies in his possession; nor do they ever remain in his possession long; he murders—his ostensible occupation affords him a quick and sure mode of disposing of the body of his victims.

Among the evils of the present system, one of no small magnitude is, that while all the teachers and students of anatomy are completely in the power of these wretched men, the teachers are forced into a direct contact with them, which is most odious and disgusting; are obliged to encourage them, to bear with their caprice, tyranny, and insult; and when from their misconduct or their mischance they get into trouble, to support both them and their families out of their own purses. Sir Astley Cooper gives the following extraordinary statement in proof of the completeness with which the teachers are dependant upon these wretches. "The anatomists of London,"

he says, "were completely at the feet of the resurrection-men; there was among them one individual in particular, who possessed considerable talents; this man, the moment he was opposed by others, burst into the places in which bodies were contained, and spoiled them for dissection; he did not hesitate to commit burglarious acts for that purpose; or if there was a party of persons disposed to oppose him, he excited a riot against those individuals, and pointed them out as bad characters and as resurrection-men; the magistrates in the Borough were very often under the necessity of settling these differences; the result of all was, the present expense of dissection, because it was impossible to compete with a clever fellow who was also a man of property; this man, therefore, had the power of raising the price of subjects as he pleased, and of obliging one lecturer and opposing another. In general, if the lecturers refuse to give to these men the fees they demand, they refuse a supply; and as I before stated, the teacher is at their mercy. The management of these persons is the great difficulty with which the teachers of anatomy have to contend; and it is distressing to our feelings, that we are obliged to employ very faulty agents to obtain a desirable end."

In answer to the question, whether it is not a most distressing thing to gentlemen of character and education, to be obliged to have recourse to persons of this description for obtaining the necessary means of giving information to their pupils, Mr. Green replies, "It really made me, for some years, when I had the immediate conducting of the business, I may say, quite unhappy." "You would scarcely believe," says Mr. Brookes, "that upon an application for five guineas at the commencement of each anatomical season, a *douceur* which I once refused to give them, some of these men came at dusk of the evening with two subjects in a high state of decomposition, in a little chaise cart; one of these subjects they dropped at the Poland-street end of Marlborough-street, another they dropped at the end of Blenheim-street, and then they went away through Argyle-street or Carnaby-street. Shortly after, two young ladies, nicely dressed, stumbled over one of these horrible subjects, which raised such a commotion that my premises would have been laid waste, and I suppose I should have been immolated, but for my contiguity to the police office. Sir Robert Baker came forward with his police establishment, by which means I was protected. To this I may add the following narrative. On a similar demand being made at another time by two resurrection-men; and compliance refused, they said, in the presence of two students while waiting in my

hall for the answer, that if I did not send out the money they would come in the evening and raise such a mob as would not disperse until they had pulled the house down, without leaving one brick standing upon another."

Detestable and dangerous as is the character of these men, detestable and odious as is their trade, still both must be tolerated, unless some better mode of obtaining subjects be devised. People sometimes speak as though it were possible to put an end to the study of anatomy; it is no more possible than it is to put an end to the recurrence of hernia or the formation of aneurism. Dissection must be practised; the wants of the community imperiously demand it, and always will demand it; society can no more go on without the supply of subjects for the anatomist, than it can go on without the supply of corn for food, because people will no more lie down and die quietly under the influence of diseases which are remediable by surgery, than they will sit down quietly and starve. Unless, therefore, an authorised source of supply be opened, make what laws you please, raise the penalty of exhumation to whatever height you choose, the effect will be, not to prevent exhumation, but to raise the price of subjects; not to protect the dead, but to render the living insecure. The moment it is more advantageous to the resurrectionist to murder the living than to disinter the dead, that moment the living will be immolated. In the strongest manner, it is stated by Sir Astley Cooper, that the law does not prevent the anatomist from obtaining the body of any individual he may think proper; there is, he says, no person, let his situation in life be what it may, whom, if I were disposed to dissect, I could not obtain; the law only enhances the price, and does not prevent the exhumation, no body is secured by the law, it only adds to the price of the subject. There are, in the Minutes of Evidence, details which fully show how futile every attempt has hitherto proved, and always must prove, which has for its object the prevention of exhumation, while the demand and the price for subjects continue what they are. Among these, a remarkable instance is related by Mr. Richard Spike, a select vestryman of the parish of St. James's, who states, that while he was church-warden of this parish, they employed extra watchmen at high wages to prevent the robbing of the church-yard, which is situated in the Hampstead-road; that they raised a wall around the church-yard, sixteen or eighteen feet high; that in a short time they increased it twelve feet, because they found that with all the vigilance they could use, persons were continually entering the church-yard; that not.

withstanding this addition of twelve feet pailing to the wall, they discovered that the practice went on just as much as ever, and that not being able to prevent the practice, they at last abandoned the protection of the ground in despair. The connivance of the watchmen, is as Mr. Twyford represents, always to be obtained. "I should apprehend," says this magistrate, "that few persons of the rank in life of those whose duty it is to look after church-yards, would withstand temptation long. I would not set a term to any man's honesty, but the reward is so great compared with the wages of such watchmen, I take it to be impossible to put an end, as the law is at present, to exhumation. There will be no stop to the practice while the law continues as it is; the difficulty may increase of obtaining dead bodies, but the practice will continue."

And the position in which the law places both the teacher and the student, and, indeed, the entire medical profession, is sufficiently remarkable. No one can practise surgery legally without having dissected; no one can practise surgery in the army or navy without having dissected; no one can hold any professional official situation without having dissected; if in consequence of his ignorance of anatomy any surgeon commit any error, or inflict any permanent injury on a patient, he is punishable by law; yet any teacher of anatomy is liable to fine and imprisonment for having a dead body in his possession, which he knows to have been disinterred; in like manner, any student of anatomy is liable to fine and imprisonment, for having in his possession a dead body which he knows to have been disinterred. The Committee, in their Report, state, that a most intelligent magistrate, one of the witnesses (Mr. Twyford) considers that very slight evidence would connect the receiver with the disinterment, that the mere purchase from the exhumator would suffice to send the case to a jury; that to be a party to the non-interment, as well as to the disinterment of a dead body, would render a person indictable for a misdemeanor; that there is scarcely a teacher, or student of anatomy, in England, who, under the law, if truly thus interpreted, is not indictable for a misdemeanor; that it is the duty of the student to obtain, before entering into practice, the most perfect knowledge he is able of his profession; that for this purpose he must study thoroughly the structure and functions of the human body, in which study he can only succeed by frequent and repeated dissection; that irrespective of the great expense of procuring subjects for dissection, an expense amounting nearly to a prohibition, absolutely preventing all but the most wealthy from dissecting altogether, this indispensable practice

cannot be pursued by any student without either committing an infringement of the law himself, or taking advantage of one committed by others; that in the former case he must expose himself to imminent hazard; and, in either case, he may incur severe penalties, and expose himself to public obloquy; that the law, through the medium of the authorities intrusted with conferring diplomas, and of the boards deputed by them to examine candidates for public service, requires satisfactory proof of proficiency in anatomical science, although there are no means of acquiring that proficiency without committing daily offences against the law; that it is not only to the student while learning the rudiments of the science, and to the teacher while endeavouring to improve it, that dissection is necessary, and the operation of the law injurious, but that it is also essential to the practitioner, who, during the whole course of his professional career, ought occasionally to dissect, in order to keep up his stock of knowledge, and frequently to practise on the dead subject, lest, by venturing to do so unskillfully on the living, he expose his patients to imminent peril; that in many important cases, civil and criminal, he is required to guide the judgment of judges and juries, and would be rebuked, were he to confess, upon any such occasion, that from having neglected the practice of dissection, he was unable to throw light upon a point at issue in that science which he professed: although at the same time he may be visited with penalties as a criminal for endeavouring to take the only means of obtaining professional knowledge.

Thus the law, as it at present stands, is opposed to some of the most important interests of the community; it is, moreover, self-contradictory; it positively requires that which it as positively forbids, and the performance of which it visits with severe penalty. The common practice of exhumation is evil in every way, evil in itself, evil in its operation on those who follow it, evil in its inadequacy as a source of supply. The law must be altered, the practice of exhumation must be put down, the legislature can no longer stand idle by, it must interfere, and either put a stop to dissection altogether, or provide the means of following the pursuit. No man can be mad enough to attempt to put a stop to dissection; and if the penalty of exhumation be increased without provision being made for affording a supply by some other means, then the price of subjects will be raised so high that murder must and will be committed for the sake of obtaining the dead body. It would appear that no man is more sensible of the importance of anatomy than the present Secretary of State for the Home Department. Certainly no man has

expressed himself more desirous of affording every possible facility for cultivating the art; it is in evidence before the committee, that of all the means actually in his power for affording those facilities, he has availed himself; but his hands are tied up by the state of the law, and he is unable to render any effectual aid. Without doubt he has shrunk from grappling fairly with the subject; he has all along earnestly deprecated any direct legislative interference. We have been informed, that, on a late occasion, when the right honourable gentleman projected the introduction of what he conceived and hoped would prove material improvements, he held some communication with Mr. Bentham on the subject, in consequence of which the latter gentleman addressed to him a letter recommending, in the most impressive manner, the substance of a bill which he would have been ready to draw for the purpose. But not only did the honourable gentleman decline taking the matter up in the way proposed, but put his veto upon any such thing as an application to parliament. He had, as he informed Mr. Bentham, an expedient of his own, which he accordingly employed, but with the sort of success which was then, and continues to be, so notorious. What it was, we have not been able to learn; all that we could hear is, that by Mr. Bentham it was regarded as being not only inadequate, but, on other grounds, in no small degree objectionable. At present, however, the position in which the legislature and the administration are placed is materially changed. The public, whose opposition to any interference was formerly so much dreaded, now loudly demand that interference, and declare that things cannot go on in their present state. It is, therefore, become absolutely necessary to consider what is to be done; it is of the utmost importance that the remedy attempted (whatever it be) should be effectual: effectual in putting a stop to the serious evils and dangers of exhumation, and in affording an adequate supply of subjects for the practice of dissection.

To every one it must now be clear, that if, for the sake of promoting anatomical science, it were necessary that the public should make a considerable sacrifice, should give up some prejudice, and even some valuable privilege, it would be its duty to make the sacrifice. But fortunately, nothing of this kind is required. The proper and effectual remedy is as easy of application, as truly practicable, as it is unattended with disadvantage of any kind, either to individuals in particular, or to the public in general. This obvious and easy remedy is, that all persons throughout the kingdom, of every rank and degree, who die without kindred or friends, or who are unclaimed by kindred

or friends, within a certain period, be appropriated to dissection, the body after dissection being buried with funeral rites. Now, if it can be shewn that this mode of affording a supply of subjects would be adequate, would put a certain and total stop to exhumation, would hurt no feeling, and even shock no prejudice of the living, but would be willingly and universally acquiesced in by the public, the difficulties which are conceived to attach to this matter must be admitted to be overcome. It is from our conviction that all this may be demonstrated, that we have ventured again to address the public on this subject, and that we now earnestly solicit the calm and candid attention of the reader to the evidence of it, which we go on to adduce.

That the method here proposed would be effectual in as far as it would afford an abundant supply of subjects, there is no question. From returns laid before the committee of the House of Commons, it appears that the number of persons who die unclaimed in the different hospitals and workhouses in London, and who are actually buried at the parish expense, is much greater than would be sufficient to supply all the metropolitan anatomical schools in the most abundant manner, taking the highest estimate that has been given of the number required. It is stated by Sir Astley Cooper, that of the number of persons who die annually in every hospital in London containing four hundred beds, on the lowest average thirty are unclaimed by their relations; that with regard to work-houses, in that of Mary-le-bonne, for example, the number of persons who were buried by the parish in the course of the last year were five hundred and eighty-five; that of this number, at least one-fifth were unclaimed; that on the lowest average, one hundred unclaimed bodies might annually be obtained from this parish alone; that in the parochial infirmary of St. Giles's-in-the-Fields, and St. George's, Bloomsbury, during the twelve months, between November 1826 and 1827, the bodies of five hundred and five paupers were buried at the parish expense; of these about three hundred and eighty died in the work-house, and out of the whole number it is calculated that about one-fifth had no friends to notice them during life, or to inquire about them after death. From the evidence of D. G. Arnott, Esq. surgeon of the hospital-ship *Grampus*, it appears that the persons who receive relief on board that ship consist of seamen of all nations, sailors from merchant ships, sailors belonging to the navy, sailors from foreign vessels, who have met with accidents in the river Thames, of who have become ill during their voyage; that a great proportion of the patients received are in the last stage of disease, having been four, five, or six months on board ships without

medical attendance, and frequently dying soon after they come into the hospital; that in the year 1826, eighteen thousand five hundred and fourteen patients were admitted; that of this number one hundred and twenty-eight died in the same year, one-half, at least, being foreigners; that, taking the average of the whole number, five-sixths were buried at the expense of the charity, and that at the lowest estimate, one hundred unclaimed bodies might annually be obtained from this hospital for the use of the schools. It is needless to multiply examples. Returns have been received from a great number of the parishes in London, and are printed in the Parliamentary Report, by which it appears that the number given above affords a fair general average of the number of persons who die unclaimed in the different parishes, and are buried at the parish expense.—The College of Surgeons of Edinburgh, in their Report, addressed to the Committee, state that from four to five hundred persons are annually buried in Edinburgh at the public expense, and that that number would more than suffice for their school. Of the correctness of these general statements, and of the abundance of the supply from these sources alone, every anatomical teacher examined expressed his fullest conviction.

But objections have been urged against this mode of providing for the anatomical schools; and as the sources here indicated are the main sources from which a certain, regular, and abundant supply can be expected to be derived, it is important to examine whether these objections are reasonable, or suggest any serious, or at least any insuperable difficulties, that are likely to occur in practice.

In the first place, it is objected that it is not right that any particular class should be exclusively selected from the community for the purpose of dissection; that dissection, if a good at all, is a good to the whole body of the people, and that therefore every class ought to contribute an equal share to it, but that to make poverty the ground of an exclusive selection for the accomplishment of this object is to convert science itself into an instrument of oppression, and to extend even beyond the grave the operation of the principle but too commonly acted on—the suffering of the many for the benefit of the few. We should feel an insuperable repugnance to any measure which was really obnoxious to this objection. We think nothing could be more iniquitous than to outrage the feelings of the poor, if it were necessary to outrage the feelings of any one, in order to save those of the rich. But the measure here recommended is wholly free from this ground of objection. It does not propose the exclusive selection of any particular class; it

expressly includes persons of every rank ; it does not make the ground of selection poverty, but the absence of surviving relatives whose feelings may be wounded ; it does not regard the station of the dead, but the feelings of the living, of whatever rank. It is justly observed by Mr. Brodie, that “ the only objection which can be made to dissection arises from its injuring the feelings of relatives and friends ; that the being dissected cannot matter to the poor dead carcass ; that consequently, the fittest persons in society for dissection are those who have no friends to care about them ; that the dead body of course does not feel either injury or disgrace, and that therefore where there are no friends to feel it, the mischief to society can absolutely be none at all.” Were an enactment made by the legislature, declaring that the bodies of a particular class of individuals should alone be selected for dissection, it would justly create a great feeling of disgust, and in fact would not be tolerated ; but since a great number of persons die in workhouses and hospitals without a relative, without a friend, without even an acquaintance to care about them, there can be no conceivable evil in appropriating the bodies of such individuals to dissection. Were it at the same time provided that the body of no individual even thus destitute should be dissected if he himself expressed his wish to the contrary, then no possible injury could be inflicted upon any one by the dissection of this large class of persons.

In the second place it is objected that there is a peculiar prejudice on the part of the poor and destitute against dissection, and that to subject them to this process would have the effect either of keeping them out of eleemosinary establishments or of embittering their last moments. Were there any truth in this representation it would afford a very serious objection to the measure proposed : but the objection arises from a confusion of ideas ; from confounding together the aversion which the poor in common with all other persons feel at having their own bodies or the bodies of their friends treated with disrespect, and what is termed a natural aversion to dissection. There is no such thing as a natural aversion to dissection. There is in many persons an undefined feeling of dread connected with the dead body, but there is in no person who understands the meaning of the term, a horror at dissection. There is nothing in this process or in its result calculated to inspire horror : it is an exquisitely delicate operation, and its effect is to display a mechanism so complicated and so beautiful, that there is no study at all comparable to it in the intensity of the interest it is capable of exciting ; it is an art of the greatest delicacy, em-

ployed to display structure of the greatest beauty. Exhibit to any human being a dissected arm ; show him its muscles, its tendons, its blood-vessels, its nerves ; point out to him their mutual relations : explain to him the manner in which they are united, and separated, and clothed, and defended ; expound to him their individual and their combined action, every feeling will be lost in wonder and admiration ; wonder at the complication of the machinery, at the extreme delicacy of its structure ; at its amazing strength, at the simplicity, the certainty, the accuracy, the rapidity, the power, the efficiency of its action : in a word, at that adaptation of means to ends which can never be contemplated without delight, and the study of which in the animal body affords the highest pleasure, because the most wonderful ends are accomplished by the most curious means. Medical men have too much confined to themselves the knowledge they acquire of the animal economy ; they have appeared to think that the public eye cannot look upon this apparatus, though infinitely more beautiful than that of any machine that was ever constructed, and that the uninitiated cannot comprehend the functions performed by the apparatus, although it is no more difficult to understand when once discovered than the known action of any other exquisite piece of mechanism. Scientific men are constantly lamenting their ignorance of the structure and functions of organized bodies : well-educated persons of both sexes are continually expressing their willingness for the sake of that knowledge to see, to examine, to study, whatever anatomical preparations may be necessary : the lower orders of the people, whenever opportunities occur by which the point can be fairly put to the test, manifest the same intense interest on the subject, the same calmness in contemplating it, the same earnest desire for information. "There is a very strong fact," says professor Pattison "which perhaps may be important for the Committee to know, as it proves that when the public comes to know the nature of dissection, the prejudice which exists against it is removed. Mr. Compton, the surgeon-general of Ireland, mentioned to me that when he began to teach anatomy, he built a small dissecting-room ; and as the thing was known to all the persons employed in the neighbourhood, he thought the best way to carry on his anatomical pursuits was, to leave the door open, that the public might come in and look at his dissections, and attend his lectures ; and the consequence was, that a great number of porters and ostlers, and the poorer people came in to his lectures ; and after they were finished, he took the opportunity of pointing out to them the structure of the body, and the importance of this

being known, &c. ; the effect produced was, that the whole of the lower orders around became so interested, and so favourably disposed to dissection, that they brought him bodies themselves." — "The more people's minds are familiarized to dissection," observes Mr. Brodie, "the less they think of it. Those who live in the neighbourhood of an anatomical school think nothing about it. I remember, some years ago, it so happened that several bodies, I believe as many as ten, were brought into the dissecting-room in Windmill-street, in the middle of the day; and many persons in the street must have known it, and it did not excite the smallest attention among them; they were accustomed to it," — "When I first began to practise in London," says Dr. Southwood Smith, "I became attached to one of the principal dispensaries: often there was a very great objection in the minds of the friends of those who died, to allow an examination after death: but I found that, by reasoning with the poor, and explaining to them the importance of such inspection, I could generally succeed in obtaining their consent: ultimately I found very little difficulty, and it was always greatly lessened by allowing the friends to be present. I observed, that they attended to what was going on with great calmness and interest; I recollect no instance of a relation or friend having been present at such an examination, who did not become convinced by it, of its usefulness and importance; and in very many instances, I went away, receiving the warmest thanks of the people for what I had done. I may state, that the same result has been obtained at the London Fever Hospital. I am one of the physicians to the London Fever Hospital: in that institution a considerable number of persons die annually: it had been the rule never to examine any one there without the consent of friends; we hardly ever meet with any difficulty, and when any objection does exist, it can generally be removed by reasoning the matter with the friends that come to claim the dead. The Irish, of whom there is always a great number in the hospital, must be excepted. We have hitherto not been able to make any impression upon them: latterly, however, we have examined the bodies of all the Irish that have died, without consent: there was some clamour at first; it is now a good deal subsided; and I wish particularly to direct the attention of the Committee to the fact, that although it is now known to those people, that the body is invariably examined after death, it has not had the least effect in deterring them from entering the hospital." — It is stated by Mr. Herbert Mayo, that in the principal towns in Holland, public lectures are given on anatomy: that in those lectures dissected subjects are exhibited: that the public

generally attend : that the process of dissection is carried on before them as far as it is in our own schools, and that it is witnessed without terror or disgust.

It is not the being dissected which is repulsive to the poor, but the being treated in a manner not customary : it is the custom for the dead body to be buried : people therefore naturally desire that their own bodies, and the bodies of their friends should be buried : let the dissection of the body be a recognized and familiar thing, and all objection to the practice will be at an end. Even now no one really cares what becomes of the dead body, provided it be not treated with indignity ; that of course is not tolerated, because few people like to be thought to have no regard for their deceased friends. It is justly observed by Mr. Twyford, that provided the mind be not drawn to dwell upon the fact in detail, no one cares about the dissection of the body : digging the body up in an open place, as it is now necessarily exhumed, is of course objected to, but no one cares whether A. B. is dissected, if it be not brought before his eyes by some unnecessary exposure or indecency. Even the Irish, who are commonly supposed to have such an exceeding regard for the dead, do not appear to set much value upon the body. An Irish woman lately claimed a child in a work-house, and after having kept it three or four days, and waked it, she threw the dead body into the work-house. In another instance, the parish authorities, knowing the mischiefs which follow a wake, resolved not to give up the body of a person, the relationship being too remote to entitle the claimants to it. On the day of the interment, they attacked the funeral procession, carried off the corpse, and kept it for three days, waked it, and on the fifth day they put it into a sack and threw it into the work-house.

In foreign countries where dissection is openly practised, and where no artificial excitement or terror is associated with the process, the people universally are indifferent to the subject. It is well known that in Paris, in all the public hospitals, and in all the institutions resembling our workhouses, the bodies of those who die, which are not claimed within twenty-four hours after death, are sent to the schools of anatomy : acquaintances and relations give themselves no trouble to find out and claim their friends, in order to prevent this appropriation of their bodies. In Vienna, the unclaimed, who die in the public hospitals, are appropriated to dissection ; and the majority of those who die are not claimed : there is no prejudice against dissection ; the practice is carried on so quietly that no feeling is outraged. At Göttingen, all persons dying in prison, or in a penitentiary, all executed

criminals, all the poor who are supported at the public expense, and the public women, are given up to anatomy, and yet so little is the idea of disgrace associated with this practice, that it is by no means uncommon for the poor to sell their own bodies.

There is a prevalent notion that the repugnance to the examination and dissection of the body is so great in the poor of this country, that the apprehension of it would deter them from entering the hospitals. That this is a groundless fear there is the most abundant evidence. "The poor," says Mr. Brodie, "are very glad indeed to get into the public hospitals; at our hospital we frequently send away three times the number we have beds to receive: if any reluctance be felt at going into a hospital, it depends on the grade of the individuals in society, not on the fear of dissection. I am not at all aware that there is any disinclination on the part of the poor to gain admission to those hospitals which have dissecting establishments attached to them." It is stated by Mr. Abernethy, that at the time of adding the dissecting establishment to St. Bartholomew's-hospital, it was found that the number of persons claiming admission did not at all fall off: that there is one hospital in London where the poor know that most of the bodies are dissected; yet applications for admission there are as numerous as in other hospitals; that the poor go into hospitals because they are ill, and do not think that they are to die there, or if they do, they care not what is to become of their remains. At St. Thomas's-hospital there has certainly been no diminution in the number of patients entering the hospital for relief, in consequence of the dissecting establishment attached to it: a great many more apply for admission every week than can possibly be admitted. The patients are not in the habit of expressing any anxiety on the subject of their bodies being examined in case of their dying. "I know of no facts," says Mr. Green, "in support of that: I know of one fact to the contrary, where one of the patients left her body for dissection in the hospital."

All these details show that the repugnance to dissection which is supposed to prevail at present among the people in this country is greatly overrated: while there are others which prove, in the clearest manner, that a just and sober feeling is gradually taking possession of the public mind. "In my remembrance," says Mr. Brodie, "it was not a very common thing for the bodies of those who died out of hospitals to be examined, that is, to be partially dissected: but those who are only ten or fifteen years older than I am, tell me that in their time it was much less common. In short, it was much more difficult formerly than it is at present, to persuade people, espe-

cially those of the poorer classes, to submit to the examination of the bodies of their friends : now the difficulty is so little, that there is hardly a practitioner in London, in practice amongst the lowest description of persons, who does not examine the bodies of a great many of those who die under his care. Altogether, I believe that the prejudice against dissection is much less than it was twenty-five years ago. In our hospital it has always been considered a rule, that every body who died was to be examined, and we have had no difficulty about it : perhaps once in two or three years, there comes a poor woman to pray that her child or her sister may not be examined, because it was her wish that she should not ; but it is very rarely that there is any such application either before or after death : they consider the examination as a matter of course, and think nothing about it. Examination is, in fact, dissection to a certain extent, and the more people's minds are familiarized to dissection, the less they think of it."—"I never observed any feeling expressed among the poor in reference to examination or dissection in their own case. I do not therefore believe that the anticipation of dissection (in case no friends come forward to claim their bodies for burial) would be a source of distress and apprehension to patients dangerously ill. The argument to which I have adverted, is probably the only argument against a law, permitting, or enforcing the directors of parochial establishments to give over the bodies of those who die unclaimed by friends, for dissection. It should be borne in mind, that surgeons must begin to practise on the poor, as the rich employ those only who are known to have already practised their art successfully. It is therefore for the interest of the poor especially, that surgeons and practitioners of every kind, before they commence practising, should be well educated."—*Herbert Mayo, Esq.* "I conceive, that if unclaimed bodies were permitted by law, not forced to be given up to dissection, the English public would support the measure most heartily."—*Dr. D. Barry.* "I think, in my own experience there is much less objection among the higher orders now to examination after death than there was formerly. It is a much less difficult matter now to obtain permission to examine a body ; should not object to make an application for that purpose in any case ; should not think it would hurt the relations' feelings so far as to deter me from asking."—*Sir Henry Hallford.* "The poor are now nearly indifferent, as far as relates to a partial dissection of the body : they throw no obstruction in the way ; they often inquire what has been the result of the examination, and they see us going to make it, without the slightest objection. Some time ago parish officers opposed

considerable difficulties to examination : then the prejudices of the poor were very great : from the moment that these difficulties were withdrawn, and the practice became more general, it was found that the prejudices in the minds of the poor began rapidly to decline. At the time when it was difficult to obtain permission to examine a body, the poor were in a state of excitement and alarm when such examination took place : now we often see fifty or sixty Irishmen about the dead-house, when an examination is going on, and they appear perfectly indifferent to it.”—*T. Rose, Esq.*

But the most striking proof of the diminution of prejudice, and of the extension of sound opinion and correct feeling on this subject is afforded by Dr. Macartney, Professor of Anatomy in the University of Dublin. This distinguished anatomist, with a view of lessening the public prejudice against dissection, and extending a more considerate and just view on the subject, left by will his own body to be subjected to this process after death, and expressed a wish that enlightened men, whether belonging to the medical profession or not, would follow his example. In order to induce them to do so, he prepared the following document :—

“ We whose names are hereunto affixed, being convinced that the knowledge of anatomy is of the utmost value to mankind, inasmuch as it illustrates various branches of natural and moral science, and constitutes the very foundation of the healing art ; and believing that the erroneous opinions and vulgar prejudices which prevail with regard to dissection, will be most effectually removed by practical examples, do hereby deliberately and solemnly express our desire, that at the usual period after death, our bodies, instead of being interred, should be devoted by our surviving friends, to the more rational, benevolent, and honourable purpose of explaining the structure, functions, and diseases of the human body.”

In a single fortnight, without solicitation, this document was signed by ninety-eight highly respectable persons, consisting chiefly of physicians, surgeons, and medical students, but including also, lawyers, clergymen, country gentlemen, and persons of title.

In the face of all these facts, it is impossible to contend that the legislature can have any difficulty in passing the few and simple regulations which alone are necessary. There was a time, when, with some reason, they might have feared to approach the subject : now they are imperiously called upon to do so : the atrocious crimes which have lately been brought to light, leave

them no alternative; fortunately their task is easy: they have only to introduce a bill containing the following enactments.

1. That the practice of dissection, and the possession of dead bodies for the purpose of dissection, be lawful.

2. That it be lawful for any person to devote his own body to dissection, either by gift, legacy, or sale.

3. That it be lawful for the next of kin, or for executors to devote any body to dissection, unless the individual shall by his last will and testament, expressly forbid such an appropriation of his body.

4. That it be lawful for the medical officers of any hospital or charitable institution, and for the overseers of any poor-house, to devote the body of any person who may die in such establishments, to dissection, unless such body be claimed by the next of kin within twenty-four hours after death, or unless the individual have expressly forbidden the dissection of his body by his last will and testament.

5. That every body sent for dissection to a school of anatomy, be buried with funeral rites, on or before the 21st day after it has been received.

Of course the bill must likewise repeal that part of the law which makes it penal to have possession of a dead body for the purpose of dissection; that part of the law which renders it penal for any person to appropriate a body to dissection, and perhaps also that part of the law which renders dissection part of the penalty of the crime of murder. But we see no objection to this appropriation of the body of all persons who die under sentence for criminal offences, whether in the hulks, gaol, penitentiary, or elsewhere, while all other persons of every rank and condition, who have no friends to claim the body, and who have themselves expressed no wish on the subject, should, as a matter of course, be disposed of in this manner.

Thus we have laid before the reader, and put into some order the preceding mass of evidence, of fact, and of opinion, in order that he may make himself thoroughly acquainted with the whole of this question. The Committee of the House of Commons have had the very great merit of divesting this subject, hitherto thought so delicate and exciting, of its terrors, and of demonstrating by a variety and completeness of proof, which is absolutely irresistible, that the course to be pursued is plain and simple, and may with perfect ease be rendered effectual. We hope and believe the result of their labour will be the wise and final settlement of a question of the highest importance to science and humanity, and as it now appears, to the security of life itself.

ART. IX.—1. *Gomez Arias ; or the Moors of Alpujarras.* 3 Volumes. Hurst. 1828.

2. *The Castilian.* A Spanish Tale. 3 Volumes. Colburn. 1829.

SPAIN is generally considered to be the land of romance. The peculiarities of the Spanish character, the high-toned enthusiasm, the fervent devotion, the chivalrous disposition, even of the lowest classes, afford very varied topics of inquiry for the philosopher, and an extensive field for the excursions of the poet and the novelist. True it is, that the national features of that people have undergone very considerable alteration in these later times, yet much of their original character remains unchanged. In high and middle life, the duenna and the escudero have totally disappeared—the Moorish blind and the grated window have been exchanged for the open balcony, where the fair inhabitant of a warm climate displays her charms more frequently and freely than our northern habits would seem to warrant—and the serenades of a gallant have sunk into silence since the doors of the drawing-room were thrown open for his admission. In the humble ranks of society, however, the national manners are still preserved ; and the guitar is even now often heard breaking the silence of the night,—while the cloak serves to conceal the deadly weapon, which, under the excitement of fierce passions, and without the restraint of an efficient police, proves but too often a deadly instrument by which the enemy or the rival may be removed. But if the Spaniards, even of the present day, possess some claim to the attention of the lover of the romantic, far more attractive are the claims of their less civilized ancestors, and elevated is the position they are entitled to occupy in that modern and favourite department of literary composition, the historical novel. The ancient history of Spain, in addition to all the incidents distinguishing the feudal ages, abounds with events of no common character—an unremitting intestine war raging in the bosom of the country, through many centuries, between two nations entirely dissimilar in their religion, political institutions, manners, and habits ; yet by the vicissitudes of the contest, constantly mixing and communicating to each other many of their peculiarities ; religious animosity, on the one hand, embittered by political hatred, and, on the other, softened by daily intercourse, these circumstances combine to impart a strong and peculiar nationality to the people, among whom the traces both of their Gothic and their Oriental origin may be distinctly recognized, though at the same time they are found not inharmoniously blended. Prodiges and miracles are not wanting to heighten the colouring of this picture of contrasts. Saints are seen

charging at the head of the Christian cavalry, bloody battles are fought, where one and two hundred thousand men fall on one side, and but twenty or thirty on the other—heroes of gigantic dimensions arise, by whom even the preux of Charlemagne are thrown into the shade—Don Pelayo, Bernardo del Carpio, the Cid, and many more of inferior renown, though of equal prowess, occupy prominent places in the grand display. Each of these fabulous or half-fabulous personages would be a fit subject for a romantic poem; though we doubt whether the little we know of them, and the scanty materials we possess respecting the age when they lived, or are supposed to have lived, would be sufficient to furnish materials for an historical novel, which should bring home a conviction of their identity. If we come down to more recent periods, when the scene, though no less splendid, is illumined by glimmerings of historical light, subjects will be found of great interest if properly treated. Amongst others, we may mention San Fernando, a conqueror and a legislator, the contemporary of St. Louis, equal to him as a warrior and a knight, and much his superior in wisdom; Alphonso the sage, as remarkable for his learning, as for his errors and misfortunes; Pedro the Cruel, and his boisterous times, during which, to borrow the happy phraseology of Quintana, the men of Castile seemed to possess arms only to destroy, and hearts only to hate: the reign of Don Juan II, alike distinguished by the taste for literature prevailing in his court, and by the factious spirit of his nobility; the brilliant epoch of Fernando and Isabella, when Granada was conquered, the whole of Spain united under one sway, a new world discovered, the Inquisition established, and the Spanish monarchy moulded into the form which it preserved during the two succeeding centuries; the war of the Comunidades under Charles V, and the revolt of the Moriscoes of Granada under Philip II, an occurrence to which we are indebted for one of the finest odes, and one of the best historical compositions in the Spanish language. We marvel that sir Walter Scott has not thought of venturing upon so rich a ground. That he has a smattering of Spanish scholarship may be deduced from the circumstance of there being now and then some scraps of that language thrown into his works. The Vision of Don Rodrigo, though not one of his best poetical effusions, shows that he once looked towards the Peninsula. We should like to see him upon Spanish territory, in his character of a novelist. His excursion to France was not infelicitous. Let him cross the Pyrenees, and let his genius brood upon the vicissitudes of Spanish history. The scented breeze of the Guadalquivir will, we venture to predict, recruit his wearied spirits, and infuse into his mind the

vividness and the elasticity which distinguished the most brilliant period of his writings.

A Spaniard, evidently one of the many disciples of the Scotch novelist, has undertaken to fill the vacuum which we have pointed out, by presenting us with novels upon subjects drawn from the chronicles of his country. Don Telesforo de Trueba y Cosío (we love, with the Vicar of Wakefield, to give the whole name) has had a difficult task to perform: yet some circumstances were highly in his favour. The subject of his works was both novel and attractive—the country and manners he professed to describe were not yet familiar to the English reader—vague associations of chivalry and heroism were connected with the very name of Spain—while, as a foreigner, and especially a Spaniard, he was sure of a sympathising auditory among the people of this country. He found from the same circumstance a decent apology for the defects of his English style. But he trod upon ground where many had stumbled, and but one (we mean Mr. Cooper) partially succeeded; he had to deal with a public become more fastidious, and somewhat satiated, with works of this class; habituated to the manner of one popular author, and fond even of his faults. The materials which our author possessed respecting the men and the things he intended to describe were not very numerous, and he had to write in a language not his own, a great difficulty to all authors, but one of particular magnitude to the novelist and to the dramatist: yet he has undoubtedly succeeded in exciting the attention of the public. His two novels have been eagerly read, and, as appears to us, very indulgently judged. After making a due allowance for the liberality which he has experienced from the critical department of the press, still something remains of real, though not of very distinguished, merit.

The subject of his first work (Gomez Arias) does not possess any general interest. There is a Spanish play upon it from the pen of Calderon, marked by all the peculiarities of that author, and of the Spanish writers in general; some parts of it are exceedingly touching, others disgustingly affected. The hero himself is represented as a consummate villain, very ill calculated to impress us with a high idea of a proud Castilian knight. The connection of the plot with a rebellion of the Moors of Granada against their merciless persecutors, for such their Christian masters were, seemed to point out a very obvious course to render a novel upon such a subject, not only interesting as a popular story, but characteristic of the age and country with which it was associated. How far Gomez Arias is to be thought deserving of the title which it claims, will appear from a summary review of its principal incidents.

The scene opens in Granada, where Isabel of Castile, a woman so illustrious in history, is represented as holding her court. Don Alonso de Agnilar, the brother of the celebrated Gonzalvo de Cordova, afterwards called the Great Captain, and one of the first lords in that court, has betrothed his daughter Leonor to Don Lope Gomez Arias, an accomplished and high-born knight, but an unprincipled courtier, and a profligate libertine. The lady had another suitor, Don Rodrigo de Cespedes, upon whom Don Lope has inflicted a severe wound, in a quarrel growing out of their competition for the hand of the disdainful beauty. This circumstance keeps Gomez Arias from the court, though the favourable reports of the wounded knight's state of health lead to a hope that his absence will not last long. At this time, information reaches Granada of a general revolt of the Moors in the mountains of Alpujarra, and Don Alonso is appointed to the command of the forces destined to put down the rebellion. A tournament is celebrated, which is somewhat heavily described and over-encumbered with chivalric mottoes and common-places. Don Lope, as was to be expected, attends *incognito*, and wins the prize; but he withdraws unrecognised, except by his mistress. A second pageant takes place, of a different sort, and of a character peculiar to the Spaniards, where Don Lope does not appear, and the prize is carried by young Don Antonio de Leyva, a knight not altogether unacceptable to Leonor, who, in the vulgar phrase, has discovered the advantages of having two strings to her bow. As Gomez Arias has thought it proper to abscond, and Leyva stood next to him on the first day, and above all the rest on the second, the triumph is awarded to him by the queen, who presents him with a portrait hanging from a chain which she herself throws round his neck. This gift is to be considered as a gage of Isabel's royal word, to grant any boon the wearer may think proper to demand. The games being over, Don Alonso departs upon his military expedition. The scene is shifted, and we are introduced to Don Lope Gomez Arias and his valet Roque, a cowardly, talkative, impudent personage, in whom we recognise the Gracioso of the Spanish plays. Their conversation turns upon the master's libertinism, and the servant presumes to moralise and give advice; he is, in consequence, beaten by his master. From their conversation, we learn that the principal reason of Don Lope's concealment is, his being engaged in a love intrigue with young Theodora de Monteblanco, the daughter of Don Manuel de Monteblanco, an old gentleman living in retirement, in some small town. This young damsel, a sort of

boarding-school lady, loves Gomez Arias to distraction, and expects that he will espouse her, an event, of which, as we have seen, there is not the least probability; for though Don Lope is rather fond of the girl, his ambition aims at higher objects. After many uninteresting incidents, Don Lope prevails upon the girl to run away with him, and leaves her in the woods while asleep, to shift for herself. A party of the rebel Moors come to the spot, and seize upon the forlorn beauty. The scene is again changed, and we are carried into the presence of Cañeri, one of the rebel chiefs, an indolent and vicious fellow, impatient of his brief authority, to which his birth alone has given him a title. Near him is a Christian renegade, called Bermudo, or Alagraf, one of the principal actors in this novel, who, some time before, had been grievously wronged by Gomez Arias; this unprincipled man having seduced Bermudo's mistress, and caused her death by brutal treatment. Upon the character of this renegade, considerable labour has been bestowed. He is a sort of Zanga, ferocious and vindictive, ranting and raving, in short, a perfect villainous bravado; but though a copy of a thousand originals, he is well drawn upon the whole. Before these gentlemen the captive beauty is brought; her attractions produce such an effect upon Cañeri the sensualist, as might be anticipated; and the Moor, after trying every possible expedient to render himself amiable in her eyes, decides upon offering her violence, when he is suddenly stopped by the unexpected arrival of a stranger who finds his way into his tent. This visitor proves to be El Feri de Benastepar, the hero of the Moorish insurgents, and the first amongst their chiefs. While he is reproving Cañeri, who seems to acknowledge his superiority, they hear the sound to arms, find themselves to have been surprised, and are completely defeated by Don Alonso de Aguilar. The wandering Theodora is left behind by the fugitive Moors, and she falls into the hands of the Christian general, who takes her to his own house in Granada, there to live with his daughter till means are found to restore her to her aged father. Thus Gomez Arias and Theodora meet at the house of Aguilar just at the moment when the nuptials of the former are to be celebrated. The unfortunate Theodora is soon acquainted with this circumstance, and while her seducer is still ignorant of her presence, she steals unperceived into his bed-room, raises her hand to stab him to the heart, drops the dagger, and hesitates till Gomez Arias awakes. An altercation ensues, and as he fears a disclosure by which his ambitious projects would undoubtedly be baffled, he promises to make amends for his

past misconduct; she is easily induced to trust him, and an elopement is soon planned for the next day. Don Lope leaves her, and is sorely puzzled to devise some means to extricate himself from his very embarrassing situation. To delay his marriage with Leonor, which ought to take place on that very day, is all important, and to this end he makes use of a very clumsy expedient. The haughty coldness with which his proposals are met by Aguilar and his daughter, is very well described. As yet, nothing has been done, because Gomez Arias finds no practicable means to get rid of Theodora. While he is discussing this subject with his tiresome servant, a Moor intrudes himself upon them, and suggests a plan to dispose of the young lady, by delivering her into the hands of a powerful Moorish nobleman who is struck with her charms. This scene is one of the best in Gomez Arias, though a severe critic might well object to the facility with which the crafty courtier admits a perfect stranger to a knowledge of his most important secret. A pledge is asked by the Moor—a valuable ring which the queen gave to Don Lope—and he, after some resistance, consents to deliver it. The deed of horror is soon after performed, and Theodora falls into the hands of Cañeri, and the renegade, who, as our readers must have guessed, is the intruding Moor. The chapter in which this incident is related, is forcibly written. Just after Don Lope concludes his odious bargain, he is informed of a circumstance which strikes him with terror; the Moor to whom he has given up Theodora, is Cañeri, the rebel chief, and death is the punishment lately denounced against all those who should have the least intercourse with him. Gomez Arias's fearful anticipations are, however, soon dispelled as he approaches Granada, and visions of future grandeur begin to dance in his eyes. But no sooner has he entered the house of Aguilar, than he finds the scene changed. Suspicion attaches to him, which the sudden disappearance of Theodora has given rise to. The haughty Leonor is resolved to put off the nuptials for a whole month; her suitor remonstrates in vain, he finds he must submit, and he resigns himself to his fate. Meanwhile, tidings arrive of a new rebellion of the Moors: El Feri de Benastepar conquered, and supposed to have been slain by Don Alonso, makes his appearance in Sierra Bermeja. Aguilar marches against him, and Don Lope has a separate command in the expedition. During this time, Theodora has been liberated by the mysterious renegade, and conducted to the house of her father, who, after a severe reprimand, and upon full consideration of all the circumstances of her case, is determined to seek redress from the queen. While he journeys to Gra-

nada, events of great importance occur. Don Alonso falls by the hands of El Feri in an engagement, very well told by the author, who had before him the simple and affecting narration of this event given by Don Diego de Mendoza, in his history of the rebellion of the Moriscoes. Don Lope, on his side, retrieves the honour of the Christian arms, by defeating the rebels in many encounters, so that the victorious Feri is at last deserted and driven from Spain—Castell killed in a mutiny of his own soldiers—and the rebellion quelled. When he enters Granada as a conqueror, amidst the shouts of the surrounding multitudes, he finds old Monteblanco and his daughter in the presence of the queen; who, after listening to their complaints, decides that Don Lope should marry Theodora without delay. Gomez Arias sullenly assents, and the inauspicious ceremony is performed. But he is soon placed in a situation of extreme peril, for at this moment the renegade comes forward to impeach him of treason, as having had intercourse with the rebels. His guilt is brought home to him by the evidence of the ring; his trial follows, and he is condemned to die the death of a traitor. His deportment during his trial, and after his condemnation, is well described. Vain are the intreaties of his wife to obtain a pardon from the offended queen; and Gomez Arias would have undergone the fate which he so richly deserved, were it not for the timely assistance of Don Antonio de Leyva. This knight, as has been related, is in possession of a precious gift of the queen, by presenting which, his demands should be granted. He accordingly waits upon Theodora, into whose hands he deposits the valuable trinket; she flies—obtains access to the queen, returns with a free pardon, and reaches the place of execution just at the moment when her guilty husband is about to ascend the fatal steps. They are both conducted before the queen, attended by an immense crowd, and by the friars who in Spain are wont to attend the culprits to the scaffold. When Gomez Arias is thanking his royal mistress for her mercy, and showing some symptoms of returning love to his devoted bride, one of the friars advances and plunges a poniard into his bosom. This friar is the renegade, who, very improbably indeed, had found means to introduce himself to Gomez Arias under that disguise, to enjoy the pleasure of revenge in its fullest extent, by witnessing his execution and embittering the last moments of his life. No skill can subdue the effects of the wound—the dagger is poisoned—Gomez Arias dies—the renegade is put to death—Leonor is married to De Leyva—and Theodora returns to the house of her father, where she dies of a broken heart.

From the foregoing extract, it will be seen that the plot or story of the novel under our consideration, is not badly conceived—that it abounds in incident, and its component parts are brought together with skill and industry. But this, although a merit, is not one of a very superior order.

To the title of an historical novel, Gomez Arias can lay but a very inconsiderable claim. And yet the author had before him very splendid materials, had he known how to avail himself of them. There is something poetic and striking in the very name of Granada. The age of the Catholic king and his queen is a very remarkable era, and abounds with eminent characters, in the description of which the fancy of the poet and the learning of the erudite, the genius which creates and the judgment which selects, might have been displayed with advantage. Isabel, that lofty, ambitious, and talented woman, jealous of her husband's influence, and yet never acting in opposition to him; fond of uncontrolled power, though submitting her actions to the dictates of her ghostly advisers, might have been represented with great effect. Her husband, close and crafty, is a very dramatic character. Cardinal Ximenez, the meddling, fierce, and master-spirit, who flattered the pride of the Castilian nobility, kindled the flames of religious persecution, was the creator of a standing army, and an efficient police in Spain, ought to have been introduced in a representation of that court, where he at that time began to render himself conspicuous. The discoverer of the new world, Columbus, could, without violence, have been brought to enliven the scene. We dislike the clumsy contrivances, by which all the learning which the writer is master of, is thrown pellmell into his work. Still a book, pretending to be an historical novel, ought to give us a representation of the manners, of the personages of the era it means to describe. We do not think sir Walter Scott perfect in this respect, yet it would be downright absurdity to make a comparison between him and Señor Trueba. After reading Gomez Arias, we are not at all acquainted with the period to which it refers. The story might remain untouched, with all its good and bad qualities adhering to it, were the names of the actors to be changed, and the scene to be placed in other countries and times.

As a romance, and this may be properly supposed to be the title which belongs to this production, Gomez Arias is not destitute of merit. The plot is well linked together. In the portraiture of characters we find much to praise: that of Don Lope stands foremost; he is a scoundrel and a despicable one. Yet he possesses some dazzling qualities, which render him not an amiable,

but a dramatic personage. Bermudo is delineated with ability, and, on some occasions, with power, though often exaggerated. Cañeri is a happy conception, and so is Leonor de Aguilar. Of the comic characters we are less fond. Roque is frequently tedious; the duenna altogether intolerable. Peregil is a meaner sort of Roque. As for the host, of knights, Christian and Moor, de Leyva, Cespedes, El Feri, and the rest, they are all alike, all vague and insipid.

In the pathetic parts of his novel, Señor Trueba has often succeeded, though he affords pretty frequent instances of vapid sentimentality, and conceited exaggeration. His descriptive powers are by no means considerable. He has no distinct idea of the objects he intends to describe, but he borrows words and phrases from other books. His castles, his mountains, his woods, his battles and tournaments, his men and women, have nothing to distinguish them, or stamp them with a particular physiognomy.

His attempts at wit and humour are very frequent, and for the most part, extremely infelicitous. In his explanations of the motives of the actions which he relates, Señor Trueba seems to intend to follow Fielding, but far, far indeed is the follower away from the leader.

Hitherto we have only spoken of Señor Trueba's first effort. His second is of a bolder cast. The Castilian is really an historical novel. The events which form the story are in themselves a very important and highly interesting part of Spanish history, and by the share which our Black Prince and the famous French warrior du Guesclin took in them, stand connected with the history of France and of England. The reign of Peter or Pedro *the Cruel*, is, indeed, one of the most dramatic periods in the annals of mankind. Never were the fierce passions of the feudal ages more energetically at work, or their effects more terribly displayed.

Respecting the character of Pedro great diversity of opinion has prevailed. By several, or almost all the Spanish historians, he has been stigmatized as a monster. The historical scepticism of Voltaire led him to doubt such exaggerated accounts, and we find accordingly, that in the chapter devoted to his reign, in the *Essai sur les Mœurs et l'Esprit des Nations*; that lively and keen-sighted writer has endeavoured to palliate the faults of the Castilian tyrant. Not contented with this, he made Pedro the subject of one of his worst tragedies, which is now totally forgotten. In Spain, apologists have not been wanting to Don Pedro, and Señor Trueba mentions some of them in his introductory chapters.

But a fact which deserves to be noticed is, that the poets of Old Spain have been in general more favourable to Peter the Cruel, than the historians. Tradition had probably handed down to them many of his good qualities, which the courtly chroniclers of the usurper, and their indiscriminating copyists had tried to obscure. We have in one of the Cancioneros an historical ballad, which begins by

“A los pies de Don Enrique,
Yace muerto el Rei Don Pedro,”

in which the arguments for and against both brothers respectively, are brought forward and canvassed, with a visible leaning towards the murdered king: The Spanish dramatists have taken the same side. Many are the Spanish plays, where Don Pedro is represented under the character of a brave and generous, though severe king; the haughty and cruel master of his nobles, but the protector of the humblest classes of his subjects. Amongst those dramas one entitled—“*Rey valiente y justiciero y Rico Hombre de Alcalá*,”* is worthy of particular attention. The Rico Hombre is a feudal tyrant, the oppressor of his vassals, and the undutiful subject of his lord the king. Don Pedro being informed of his misdeeds, visits him under a false name, and brings himself acquainted with his acts of violence, and his contempt of the royal authority. Returned to his palace, the king summons the proud nobleman, who, upon his attending, is very much surprised and vexed to find in the monarch his quondam guest good *Aguilera*. Don Pedro upbraids him with his transgressions and inflicts upon him a summary punishment, by knocking his head against the wall of the presence chamber with his own royal hands. Imprisonment ensues, the Rico Hombre is condemned, and in his anger he is heard to declare, that the king who so humbles him as a sovereign, would not dare to meet him as a man. The chivalrous disposition of Don Pedro cannot brook this taunt; he assumes a disguise—repairs to the prison—and sets his captive at liberty without being known by him; but before they part, he seeks to engage him in a quarrel. This is no difficult task with a man of so violent a temper. They dispute, draw their swords, fight in the dark, and the rebellious subject is conquered, disarmed, and overthrown by his unknown master. At this moment attendants rush into the place with lights, and upon their asking—*what is this?*—*The Rico Hombre de Alcalá*, (replies the monarch), *at the feet of king Don Pedro*”

The different point of view under which the actions of this

* The valiant and severe king, and the nobleman of Alcalá.

monarch appeared in the eyes of his subjects, may well account for this diversity of opinion. The unruly nobles could ill bear the yoke even of wholesome authority, while to the oppressed many, acts of despotism and tyranny, of which their own oppressors and tyrants were the victims, must have afforded a sort of compensation for their multiplied grievances. The epochs in the reign of *El Cruel* ought also to be distinguished. In his earlier years Pedro, though violent and rash, must be allowed to have possessed some virtues; but it would be preposterous to deny, that, in his latter times, his ferocious and vindictive temper, soured by misfortune, and provoked by rebellion, led him to acts of wanton and unjustifiable despotism. The age in which he lived was also fruitful in crimes. We have often expressed our disbelief of the virtues supposed to be characteristic of the age of chivalry. Had we not supported our incredulity by the most uncontrovertible evidence, the history of Castile under Pedro el Cruel, would bear us out in our assertion. Yet that was the golden period of knightly virtue. Now that "*the age of chivalry is gone*," (a fact which, however it may be considered by some as a source of regret, and by others of congratulation, all seem disposed to admit;) no individual pretending to be looked upon as a gentleman, would speak or act as the proud knights of those times were not ashamed to do. The decency of our manners forbids us to employ the words with which Trastamara saluted his brother when he was preparing to murder him; or the no less coarse, though more just retort of Pedro to the bastard. No second in a modern duel would act as du Guesclin did between the royal brothers.

But let our opinion of Don Pedro be what it may, his character must stand confessed to be highly poetic. Both his good and bad points arose from violent and uncontrolled passions. As a lover, as a judge, as a warrior and as a king, he scorned the dictates of prudence, and set all restraint at defiance. He would have been a fit subject for the pen of lord Byron. Let us see what he is become under the hands of Señor Trueba.

Pedro el Cruel is not, however, the first personage in "*The Castilian*." This post of honour is held by his faithful and loyal follower Don Ferran de Castro, a Castilian knight, full of prowess and chivalrous qualities. He loves the fair Costanza daughter of Don Eneas de Vargas, a courtly nobleman, with some grains of pride in his composition, but fickle and time-serving, and, above all, determined to live upon good terms with the ruling powers, which under frequent changes of government is, after all, no easy matter. The beautiful Costanza has also

another suitor in the person of Don Alvar de Lara, a nobleman of Trastamara's party, whom the author intends to draw as a high-minded knight, though in the sequel he represents him as guilty of the meanest actions. The story commences at the moment when Castile is in open rebellion against Don Pedro, and Trastamara, attended by the French forces under du Guesclin, is in full advance upon Seville, then the metropolis of the kingdom of Castile. Don Ferran, after a parting interview with his mistress, repairs under disguise to a fisherman's hut upon the banks of the Guadalquivir where his master lies in concealment. The castle of Costanza's father is entered by some stragglers belonging to Trastamara's army whom Don Elyas de Vargas endeavours to restrain by fruitless professions of his zeal for the cause of their master. Upon this we are introduced to old Pimiento, an Escudero of the house of Vargas, one of the author's best efforts, though partaking strongly of the nature of a caricature. He is a loyal man, true to his king Don Pedro, zealous for the honour of the house to which he belongs, and highly indignant at his master's prevarication. His imprudent provocations excite the rage of the intruding soldiers, whose insults are carried to such lengths as to awake Don Elyas's dormant feelings of pride. The old knight gives vent to his resentment, a scuffle ensues, Costanza sees the swords of the invaders directed against her father's bosom, throws herself between them, and receives a wound which we imagined to be very desperate, though it is wholly forgotten by the author, so it may be taken for granted it was not so bad as we fancied. At the moment when Costanza falls, her admirer, Don Alvar, makes his appearance, dismisses the marauders, and is welcomed by Don Elyas, who foresees the advantages of a connexion with a favourite of the new king.

Leaving the inhabitants of the castle to attend to their own affairs, we are transported to Seville, where the mob rise against Don Pedro and his partizans. The description of the riot is lively and amusing. The author may have witnessed some of the late commotions in Spain, and have copied from nature. But this tumultuous rising is only connected with the plot, inasmuch as the rioters proceed to burn the house of a shoemaker devoted to Don Pedro. Crispin is a dark and mysterious being, who, a little before, has made his appearance in company with de Castro; and he is one of the best delineated characters in this novel, though his style of speaking is wholly unsuited to his station. After the tumult is somewhat subdued, Don Enrique enters Seville, while Don Pedro flies to Guienne, to put himself under the protection of the prince of Wales. The

court, or rather the camp, of this young hero, is then represented, and a conversation between him and his knights is given in that quaint phrasology, which passes with the ill-informed for a faithful copy of the colloquial style of the age, but which is merely a combination of incongruous and grotesque phrases, belonging to old writers of different epochs; and, when put together, forming a dialect which was never heard by mortal ears. The Castilian Ferran de Castro is introduced before the prince, and asks his assistance to replace his master upon his throne. After a short consultation, the boon is granted by Edward, who enters Spain with his army. Some of the military movements are then reported—we use the word, because the descriptions of them are more in the style of Gazette details, than of those animated narrations which enliven the pages of the poet, the novelist, and the historian. About this time, old Pimiento joins Don Ferran, his loyalty to Don Pedro having prevailed over his affection to the family of Vargas. The battle of Najara is fought, where victory declares for the English and Don Pedro, whom the successes of the day put in possession of the whole kingdom of Castile. He re-enters Seville in triumph, and gives multiplied proofs of his merciless disposition. Vain are the efforts of Edward to check the ferocious propensities of his royal ally, who, regardless of the duties of gratitude, not only treats his benefactors with cold neglect, but fails to fulfil the stipulations upon which he obtained their assistance. A heavier blow is in preparation for de Castro. He flies to the castle of Vargas, finds his Costanza true, and Don Eyas desirous to connect himself with those who are uppermost. They all repair to court, where the marriage of the two lovers is to be solemnized; but Don Pedro, whose amorous disposition is no less remarkable than his ferocity, is enamoured of the charms of Don Eyas's daughter, and hesitates to give his consent to the celebration of the nuptials. About this time, the mysterious shoemaker (whom the author always calls Zapatero, merely because he likes to make a frequent use of Spanish words) is put upon his trial before the king himself, as accused of having murdered a canon of the chapter of Seville. It seems that the deed was an act of revenge for a murder committed by the canon upon the shoemaker's father. Don Pedro inquires into the case, and is informed that the canon had been punished by being interdicted from saying mass for the term of a whole year, a visitation which, in those times, was frequently employed as a check on the irregularities of the members of the Roman Catholic priesthood. After hearing this, the king condemns the shoemaker to abstain from shoemaking for the same space of time. The original story is told

in the Floresta Española,* and Señor Trueba has spoiled it by amplifications in very bad taste. This decision, though it was an act affording protection to the poor against the privileged classes of the community is represented as injurious to the king's cause, by making him appear a contemner of religion; a heinous sin in those days, and still more in the eyes of the Spaniards. But heavier matters press upon the reader's consideration. The king's love for Costanza manifests itself openly, and old Don Eyas does not view it with dislike, not that he would consent to see his daughter degraded into prostitution, but that the hopes of a royal marriage (no uncommon thing at that time, when high-born private ladies were often raised to thrones) begin to flutter about his easily-deluded imagination. Conspiracy meantime is silently at work. Trastamara's partisans meet in Seville, and Don Alvar de Lara comes to join them from France, bringing with him a papal bull, by which Don Pedro is deposed from his kingly dignity. This bull must be publicly notified to Don Pedro, a dangerous business, which no one would take upon himself. A ludicrous discussion amongst the conspirators (most of whom are churchmen) follows, respecting the person who shall venture upon this rash experiment. It is but the old story of the mice deciding who shall tie the bell round the cat's neck; it is given in the author's most infelicitous manner. The festivities of the marriage of the duke of Lancaster with Pedro's daughter are described in lively colours; and the circumstance of the reading of the bull (an incident related by Mariana), and his throwing himself into the river to punish the daring reader is told with some animation. All these things combine to make the king odious. His ally, the Black Prince, withdraws in disgust, and Ferran de Castro is alienated by the attempt to deprive him of his mistress. The Castilian resolves upon a desperate expedient; he is privy to a plan by which Costanza withdraws from Seville. While thinking of the consequences of this act, in the darkness of the night he is accosted by a stranger, who puts

* In the Floresta the king himself is said to have advised the shoemaker to commit the murder, after knowing the inadequate punishment inflicted upon the murderer of his father. The guilty canon (archdeacon he is styled) was stabbed to the heart, while walking in the procession of Corpus Christi (the Fête Dieu of the French) the greatest pageant of the Roman Catholic church. The sentence was such as Señor Trueba relates. In an old Spanish play which has for its title, "*El Primer Asistente de Sevilla y Montañas Juan Pascual*," (we presume this is the play alluded to by Señor Trueba in his Note 2nd. 2nd vol.) the sentence is said to have been given by Juan Pascual, and confirmed by the king. The archdeacon is very absurdly transformed into an organist, which makes the sentence (not to play the organ for a twelvemonth) improbable.

a letter into his hands, inviting him to abandon the cause of the tyrant, and join the party of Trastámara, to avenge at once his own and the public wrongs. Don Ferran pays little attention to this letter, and waits upon the king; who, having been informed of Costanza's flight, gives himself up to a fit of the most ungovernable passion. This is, perhaps, one of the best parts of the novel, and we are tempted to insert it as the most favourable specimen of the author's style.

“Well met, Ferran,” said the king, striving to conceal his rage, “we have something extraordinary for your ear, and it is fortunate you are come, we should else have summoned you to our presence.”

Don Pedro fixed a keen scrutinizing look on the Castilian, who made no comment, but seemed to expect the king to proceed. A pause ensued, when Don Pedro, no way re-assured by the steady composure of the Castilian, continued, “A most untoward occurrence has taken place, and I marvel that you, being a party so intimately interested, have not yet received information.” He again stopt, but again the Castilian preserved his wonted silence. Don Pedro unable any longer to restrain the ebullition of his feelings, exclaimed—

“By Santiago, this is either rare hypocrisy in thee, or an example of philosophy. Say if by chance thou art really ignorant that Costanza is flown? But,” he added, with a dark sneer, “what foolery is it to tell you, Sir, what you know full well.”

He resumed his walk with folded arms, and an abrupt step, that plainly bespoke the agitation of his mind. He again stopt, and stamping fiercely on the ground, “By my faith this is a case closely to be looked at, its manifest open and daring opposition against our goodwill and pleasure. Costanza never would have taken such a measure of her own accord. No, some traitorous villain has been tampering with her, and right glad would I be to be made acquainted with his name.”

“Señor,” said the Castilian, “your wish may easily be satisfied, though I must premise that Costanza's counsellor is no traitorous villain, for I was the man.”

“You, Sir! you!” exclaimed the king, his eyes flashing fire, “and dare you make a boast of the nefarious proceeding?”

“Nefarious proceeding? Heaven help us!”

“Yes! Sir, yes! a treacherous, a vile contrivance, to decoy a female from the protection of her parent. But let me tell you Don Ferran, you have presumed too much on the foolish regard which the king has ever shown you, you have misjudged the extent of his favour when you supposed that so glaring a transgression would be suffered to pass with impunity.”

“Transgression!” exclaimed the Castilian with warmth, “Señor I am not conscious of any. The situation in which I am placed with Costanza amply justifies a measure we have thought it proper to adopt.”

“God-a-mercy! Señor,” quoth the king, with a bitter banter, “I give you much credit for your prudence; but, let me tell you, very

cautious cavaliers are sometimes apt to be overreached in their excessive solicitude. But I marvel, that the same prudence that serves you thus well, has not taught you likewise to avoid the danger of giving offence to one who has the power to punish as well as to reward."

"Señor," replied the Castilian, "with all due respect to your majesty, I must express my surprise at this singular accusation. I cannot conceive how the king can take offence at a measure in which the interest and happiness—"

"Enough, Sir! enough!" cried Don Pedro, haughtily, "you have tried our forbearance too long; know, Sir, we had our reasons for opposing your nuptials, and it was solely to thwart our intention, and to baffle our sovereign will, that you have traitorously and rebelliously devised this contrivance. But your project will not be accomplished; no, by Heaven, you shall learn better how to respect our mandates, and now, Sir, immediately acquaint us with the place of Costanza's retreat!"

Ferran de Castro underwent a fearful revulsion of feelings at these words; his generally calm demeanour was ruffled by the violence of Don Pedro, and the gross and bitter rebukes with which he was so liberally favoured, severely wounded his pride. His situation was exceedingly critical; he knew the extent of his danger, the dreaded moment had arrived, but he had firmly resolved to stand the shock. He braced his nerves up to the task, and stood prepared for the worst consequences of his resolution.

"Señor," he said, in a firm tone, "I cannot comply with your majesty's wish. I am bound by my word not to disclose the retreat of Doña Costanza, it is according to her own desire it should be so."

"By hell, this presumptuous insolence is unparalleled. Villain forgettest thou who I am?"

"You are the king of Castile," replied the cavalier, with becoming pride, and *I am Don Ferran de Castro.*"

"Let Don Ferran de Castro comport himself as becomes a subject towards his king, or by God he shall rue the result of his temerity."

"Señor, I am not conscious of shewing contumely to my king."

"Enough, and begone, rebel, to execute our orders, Costanza must be at court to-morrow."

"Señor Don Pedro, if she returns to court, it must be to receive your royal assurance that her union with myself will no longer be opposed."

"Never," said the king.

"Then never shall Costanza return to court," undauntedly replied Don Ferran. The king was thunderstruck at the cavalier's intrepidity. But uncontrollable rage soon superseded every other emotion. He darted a tremendous look on Ferran, and furiously approached him with his hand on the hilt of his rapier. The Castilian, however, did not stir; but unmoved, and firm as a rock, he stood there ready to encounter the violence of the storm. The king was provoked to still greater rage, his eyes sparkled, his hand shook, and a hard heaving breathing, declared the frightful agitation of his breast. He raised his arm, and haughtily beckoned Ferran to depart. The Castilian

made a humble bow, and was about to retire, when Don Pedro seized him by the arm;—

“Thou knowest our orders, Señor,” he said, with frantic passion.

The Castilian, with a resolute expression of countenance, calmly replied, “My mind is fixed, inflict on me the penalty you may deem just.” He again bowed, and made a movement to retire. The king, no longer able to restrain himself, rushed against the cavalier, and aimed a blow at his face. Ferran, who held his hat in his hand, seasonably guarded against the intended affront, and his hat rolled on the ground. The noble Castilian’s indignation was now aroused to the highest pitch. He forgot all difference as to their relative position, in the indignant sense of the insult which had been offered to his person. His eyes flashed fire, a deadly paleness covered his face, and in a voice broken by convulsive passion, “Tyrant!” he bitterly cried, “complete your work, I am well repaid for my foolish fidelity to a monster destitute of the noble attributes of man.”

The vehemence of this speech maddened the king, he furiously drew his weapon; Ferran de Castro at the same moment baring his bosom with fearful intrepidity.

“Strike,” he cried, “strike, for after the insult, the degradation you would have heaped upon me, death is the best apology you can offer. Strike, Don Pedro, consummate the work of ingratitude, and let those who spill their life-blood in defence of your crown, learn what is the guerdon they are to expect for so many services and sacrifices.”

The noble and indignant resolution of Don Ferran, and his energetic apostrophe, checked the arm of the king. The Castilian, however, did not change his posture, the frenzy of passion had subsided, yet his eyes told the load of agony that pressed upon his bosom, and a starting tear gave testimony how deeply his inmost feelings had been lacerated.

“Don Pedro,” he then resumed, with sad emphatic voice, “to recount my loyalty, my sufferings, in your cause, would be a needless task, alike unworthy of my character, and unavailing to move your hardened and selfish disposition, yet here I repeat, unarmed as I am, strike, it will be a severe lesson to those who blindly and faithfully serve a king.”

“No,” contemptuously replied the king, “not from my arm, you shall prepare in due time to defend yourself for your rebellious insolence, and if you must die, be assured it will be the death of a vile traitor, not that of a Castilian cavalier.”

As he said this, he cast a proud and scornful glance on Don Ferran, and haughtily left the place. This last instance of wanton and unprovoked insult again excited the irritated feelings of the Castilian. He suddenly started from his position, resolutely replaced his hat, and took two or three strides along the place in a mood of desperation and revenge.

“’Tis well,” he sullenly said, “he is a tyrant, no human feeling can touch his callous heart.” A bitter smile curled his lip, he halted

and fixed his eyes intently on the ground, the conflict of his passions was appalling, some overpowering thought seemed to strive for mastery in his bosom. It was a moment of real agony, and the fidelity of years seemed in a moment destroyed. One terrible look was cast towards the apartment whither the king had withdrawn, and turning to retire, he exclaimed in a bitter tone of indescribable emotion, "Farewell, tyrant, Trastámara I am thine." — *Castilian*, vol. ii, pp. 191-201.

This last resolution is a mere ebullition of resentment, and the Castilian returns to his sentiments of loyalty. He is, however, suddenly arrested and thrown into prison, while the king (in a scene tolerably well narrated) goes to consult an astrologer. De Castro is visited in jail by a nobleman, who declares himself to have been the person who gave him the mysterious letter; and induces him to fly with him, because the king, besides hating him as a rival, is in possession of that fatal document, and from him no mercy can be expected. Far from yielding to these suggestions, Don Ferran desires to convey information of the ripening rebellion into the ears of his sovereign. Some way or other Don Ferran is restored to liberty, and the king is reconciled to him, and gives his assent to his marriage with Costanza. At this time the insurrection has broken out. Pedro's cause assumes a very unpromising aspect. Trastámara and du Guesclin enter Spain, and most of the cities and nobles embrace their party. The king takes the field, and through the chivalrous folly of old Pimiento, who allows a spy to escape (in a chapter the best of Señor Trueba's comic efforts), falls into an ambuscade, where his party are put to rout. Thanks to the devoted bravery of the wayward shoemaker, who is captured in this affair, the king narrowly escapes into the castle of Don Eyas de Vargas. This old knight is by no means pleased with his visitors, and his vexation increases, when a party of Trastámara's troops, under the command of de Lara, come to the castle at the dawn of the next morning, to summon him to deliver the tyrant into their hands. De Vargas does not carry his meanness so far as to comply, and he contrives to allow the king to escape through a subterraneous passage, leading into the adjoining fields. The monarch succeeds in his attempt, but his follower, Don Ferran, is left behind and taken, and de Lara, no less enraged at his disappointment than incited by jealousy, does not conceal his determination to put his rival to death. Costanza saves him, by resorting to the stale expedient of devoting herself, and becoming the wife of de Lara, who, though he has been represented as a man of noble mind, is not ashamed to reduce her to that dilemma—an act which has been imputed to several

of the worst tyrants. The Castilian joins his master, to partake of his misfortunes. These are very heavy indeed. Every where the people rise in arms against him, and his partizans are devoted to the popular fury. The odious shoemaker is murdered by a mob, under circumstances of great horror, which are tolerably well described, with the exception of the comic part which the alcalde takes in these proceedings. At last a decisive battle is fought near Montiel, where Pedro is overthrown. Ferran, though belonging to the unsuccessful party, is avenged upon de Lara, whom he mortally wounds; and a scene of ridiculous sentimentality takes place, where they become friends again. The Castilian leaves him, and follows his master, with whom he shuts himself up in the castle of Montiel. This fortress is soon beleaguered by the victorious enemy. Don Pedro, reduced to the last extremities, enters into a sort of treaty with du Gueselin—is deceived by the cunning Frenchman, and decoyed into his tent, where he meets Trastamara. The chapter entitled *The Catastrophe*, is devoted to the private fight between the brothers, which terminates in Pedro's murder. The author had little to do but to follow the historians in their narratives of this event, to render it striking. But he has treated this part of his subject in an able manner, and the catastrophe is described with effect. After the king's death, the Castilian refuses to accept king Don Enrique's proffered favour; and having married Costanza, withdraws to England, to live with sir John Chandos, with whom he has been united in close friendship since they fought together at Najara.

From the foregoing extract it will be evident, that the story which forms the basis of "*The Castilian*," as well as the delineation of character are far less happily managed than in *Gomez Arias*. Don Pedro is a mad tyrant, ever talking of blood and revenge, and displaying very few of those peculiarities by which he was really distinguished. It is somewhat remarkable, that in his introductory chapter, the author seems inclined to adopt the opinion of those writers, by whom that monarch has been considered under a rather favourable light, while through the whole course of his work, he describes his conduct as it has been represented by his worst enemies. This inconsistency might be pardoned to him, had he displayed any abilities in the delineation of the tyrant. But we are sorry to observe, that Pedro is the creature of vague generalities and indistinct conceptions; and so is his counterpart, the Castilian, though in a different way. He is a true and a good common-place knight, unmarked by a single feature to distinguish him from the host of *preux chevaliers*, of whom we have had such abundance. Old Piminto

and the shoe-maker are not badly drawn. In Don Eyas there is too much meanness : his changes are too frequent, and his selfishness too coarse. Señor Trueba is unable to catch those delicate lineaments, and softly blending features, which give a tone, a cast, a real likeness to a physiognomy. His portraits are but rough sketches ; nor do we wonder at it. To give an outline of the features of any particular individual is a work which every dauber of caricatures is equal to ; but to afford a likeness, at once correct and animated, of a living being requires the skill of a Vandyk or a Lawrence. In describing the inward man, Señor Trueba merely uses epithets, he never individualizes. In describing external objects, he names, but does not paint. He speaks of trees, of buildings, but conveys to the mind of another, no fixed ideas of a particular object, because he has it not in his own. An authority, no higher than Blair, would give our author some judicious advice on this topic.

No less imperfect, not to say faithless, are his descriptions of scenery. His glowing and gorgeous portraiture of the Guadalquivir with a thousand boats scattered upon its bosom, and a white sail now and then darting across its waters [*Cast.* pp. 28, 29], and gay villas and towering castles, and quiet villages upon its banks, is ludicrously absurd. He is dreaming of our own Thames in these days of wealth, and luxury, and civilization, and has wholly forgotten the beautiful and bright, but somewhat uncultivated and thinly-peopled country of Andalusia. He took his view of the Guadalquivir from the top of Richmond-hill. What would our Spaniard say, if sir Walter Scott had adorned the banks of the Clyde with formal and straight-line plantations of olive trees, or embalmed the atmosphere of Scotland with the fragrance of orange and citron flowers?

There is nothing in "The Castilian" characteristic of the age, and but little of the country where the scene is laid. Though a Spaniard, Señor Trueba appears unacquainted with the peculiarities of his own countrymen. He evidently writes from imperfect memory and servile imitation, not from the power of genius and the sagacity of observation. He should have studied more profoundly the history of the times. The things that are will not teach him the things that were. We cannot write successfully of remote times without erudition, nor make a past out of the present by a mere infusion of vague, antiquated, and romantic phrases.

For a Spaniard, Don Telesforo de Trueba writes English remarkably well. There are traces in his style of the bombast, too frequently characteristic of the Spanish writers, and he

has taken much of the affectation of our own authors of romance. His passion for unmeaning adjectives is excessive. His style, however, is improved in "The Castilian."

In fine, of great powers of mind—of whatever constitutes original genius—he has given as yet no indication. He is an agreeable, lively, and industrious writer; and to say that he is better than those who are worse, is to give him feeble and doubtful praise. His works will form a valuable addition to the circulating library, but he must do better—far better—before he can find his way to the shelf where taste preserves the nobler productions of the intellect.

This it would have been hardly necessary to say, but for the childish and indiscriminating eulogiums which have welcomed these volumes. If any thing can drive mediocrity downwards, it is exaggerated praise. They are no friends to a man's reputation who elevate him on the stilts of ridiculous puffery. Patient study, and sober thought, will make Don Telesforo an interesting, and, perhaps, a popular writer.

At all events, such exaggerated praise is disgusting and injurious. It proceeds from the worst causes, and produces the worst effects. The odious system of puffing and book-making, is the pest of modern literature. By its indiscriminating eulogiums, it smothers real genius. It degrades the noblest functions of the mind into the instruments of a dishonest trading. The lauded individual himself is made the victim of those praises from which he derives pleasure. They inspire him with an injudicious confidence in his own powers, and push him onwards to certain failure, the more keenly felt as it comes unexpected upon a mind rendered too sensitive by flattery, and therefore ill prepared to bear reproof. Señor Trueba is intitled to indulgence as a stranger and a foreigner, otherwise these works would not have occupied so many of our pages. The day will come when he and many of his fellow countrymen will be useful to their country. There are symptoms of hope even in the Spanish peninsula, and it is consolatory to think, that the vicissitudes which have brought us into closer connection with the best men of Spain, cannot fail to have a happy influence on the futurity of that beautiful land.

ART. X.—*Comments on Corpulency, Lineaments of Leanness, Mems on Diet and Dietetics.* By W. Wadd, &c. Ebers. 1829.

IT is difficult to know what to say of this book, or rather of the book and the author conjointly. Had it been an anonymous work, as most persons may think it should have

been, there would have been no difficulty in the matter. Here is a medical man, with an ostensible rank superadded, well-informed, well-read, evidently a sensible, and apparently a conscientious man, and a clever artist withal; and here is a book of little else than egregious buffoonery, with a profusion of bad puns, and not much better jokes, together with good writing enough to prove that the author could have written well had he chosen it. Whether he is laughing at his readers or himself, it is for him to explain; the work is occasionally amusing, however, though no one would look into such a book for amusement; and when it does contain instruction, there are few common readers who would know how to get at it. Be the author's views what they may, these remarks will not at least disconcert him; it is clear he had wrought his mind up to a pretty triumphant indifference, when he took a pen in hand for the production of such a volume.

If, however, his object was simply profit, he may be congratulated, as he has made a very saleable book; and there is no reason why it should not sell and be read. It will teach some useful knowledge to those who can extract it; and this is far from being the case with the works of the same tone that are for ever swarming from the press. Dr. Kitchener, we presume, was the great Coryphæus of these jesters; but even though the model had been better worth following, the trick is nearly exhausted. The copy of a mountebank is not a very interesting thing; and the exhibition is too easy to claim much praise. Yet thus does a certain Scotch lady-cook also attempt to pass off her gastronomical wisdom; while the cooking doctor's example will, it may be supposed, convert our future treatises on music, and optics, and economy of all kinds, into jest books. If Mr. Wadd's example is equally to spread, we shall also study physic under the shape of Joe Miller; and may even expect to find, that which few jest upon with safety, the laws, expounded hereafter by some legal Wadd or Kitchener, less witty, however, it is probable, than our Mr. Anstey. Professional gentlemen! wear not too rashly the cap and bells. The jingle soon becomes annoying. It is safest and best to avoid it altogether.

This book, too, is a re-publication. And we must regret, by the way, that a journal of science of an established reputation, should have devoted so many pages to such lucubrations; for, in that work, did they first appear, as we understand. This is a considerable error of judgment, to say no less; in a country, or even a city, like this, contributions fitted for a work of such a character, can never be wanting; but they are very little likely to be solicitous of such company long. Ready and frequent

means of communicating facts and discoveries which do not admit of separate publication are peculiarly wanted; for the transactions of the several learned bodies, for various reasons, do not offer this outlet to such knowledge conveniently. And the character of the country itself is interested in Journals which comprise the scientific transactions of England. We hope the territory of science may not again be intruded on by the jester.

To return to Mr. Wadd. Why will he really not give us the whole of his knowledge on a subject that he does understand, and in a fitting form? He knows well that he could command approbation. To extract and comment on what might be sifted out of this rubbish would be to write the book for him; and this is a task for which we feel no inclination. To review his book, in the common meaning of that term, is scarcely possible, even were it not a very idle and dull task to review jokes.

If Mr. Wadd prefer to write a satire on medical follies and abuses, respecting which he has thrown out some hints that we believe to be as just as they are sensible, there is a wide field open to him; and he seems to possess all the materials in his head. In either way, he might do good to his generation; and the latter office, at least, would give him a fair field for the wit with which he feels himself to exuberate. Such a book would be of great use,—in the common phrase, it is wanted; and since we must not extract much, we will give at least this specimen of the work before us; it is a favourable one, as it is free from the two most prevailing ornaments, puns, and alliteration.

‘Fashion, which holds an undivided empire over the frivolous concerns of life, extends its influence even to the healing art:

Il y a de la mode jusque dans la médecine.

‘Thus we find fashionable complaints—fashionable remedies—fashionable seats of disease—and fashionable plans of treatment. Half a century ago “nervous complaints” were the *ton*. These were superseded by “liver complaints”—and these again have yielded the palm to “stomach complaints.” “Duodenal complaints” are beginning to be talked of in London—while the hypochondriacs of Bath have their fashionable localities; so that, at present, the seat of alimentary complaints depends on the accidental circumstance of the patient’s residence.’

Which is the fashionable locality at Bath? we wish that Mr. Wadd had here been as full and serious as the subject deserves, if we conjecture rightly his meaning; for, if that to which he alludes is also what we have heard of, not only at Bath, but elsewhere, and of more unspeakable *localities* than,

one, we cannot help thinking, and we speak it as lawyers, professionally, that it is fully time the municipal law should be resorted to for the exposure of these wicked, immoral, and destructive impostures. There has been a report, at Bath, of a death produced in this manner, which might be classed without any hesitation, as a direct murder; and though the act of murder was not intentional, that of a meditated injury to produce a disease that did not exist, for the sake of profit, would have subjected the operator to a criminal prosecution. Mr. Wadd will pardon us if we become serious on such a subject; and we have no doubt that he knows well, as a medical man, what we could not describe in the terms of his profession, and dare not in our own ordinary words.

On the subject of extreme fatness, or obesity, as it is here technically called, we think we can suggest to the author one remark, which is not to be found in his book; and it cannot be unimportant, because, in the case of a friend, who we believe had consulted Mr. Wadd himself, it was the great difficulty to be contended with. There is reason to think that it is very common. We allude to the great voracity, or the hunger, and also the good appetites, good digestive powers, we suppose should be said, of fat, or very corpulent, persons. And it has been suggested by a medical friend, that this was the effect, rather than the cause of the disease; that the disorderly or improper secretion of fat produced a craving for food, on just the same principles as great perspiration might do: and thus the cure becomes the more difficult, because great weakness, and even disorder, follows from attempting to reduce the food. If this be true, the remedy will not always be found in starving; and this opinion is confirmed by those who have studied the art of training, who find certain subjects that will not be reduced, except by that abstinence which also destroys their strength, and who are even stronger under an inconvenient weight of fat than under its diminution, if that is to be produced by diminishing the food.

The author wanders away to the hypochondriac disorder, apparently for the sake of some anecdotes, yet without illustrating that very curious subject; but we cannot follow him, for his career is that of a jack-a-lantern. If he is inclined to call it a real jest book on this subject, he might find little difficulty in filling a moderate volume; and, we can scarcely help thinking, that the mirror thus held up to the imaginary, the "*otio abundantibus*," to borrow his own quotation, would not be useless.

Then comes a satire on prescriptions, a satire on watering

places, or a hint at least at one, and much more; terminated by a useful list of books; whence we are transferred to leanness, and treated in the same manner; though in less space.

The last portion of this trifid production relates to diet, or "Dietetics:" but we hope the word *Mem* is not destined to become a denizen of the English language. The misnomer is, however, considerable; as the half consists of tales on the subject of abstinence and idiosyncrasy; adding to the general impression often given, that a book was to be made up out of whatever could be pressed into the service. Hereafter we recommend such rakings of portfolios to their proper place, a monthly magazine. As usual, there is solid and strong sense in that part called Nursery meins, but the fool's coat will scarcely persuade common readers that the author is serious. Of the portion termed Dietetics, especially, we can only say that it is like what has preceded, a collection of scattered remarks to no great purpose, and so on through what is paged as Health. We are weary of our task; and may give the author's concluding sentence and apology, as the winding-up of our own article.

'In conclusion, should it be thought that the subject has not been treated throughout with sufficient gravity, I would beg to remind the reader, that some of the most serious of our profession made their lectures both "plesaunte and pyttyfullc:" and that these commentaries are not offered as an *exquisite censure* concerning this matter, but to induce its being taken in hand, and "laboured by those who have learning and leisure to handle the argument more pythelie."

ART. XI.—1. *Pelham, or the Adventures of a Gentleman.* 3 Vols. 8vo. Colburn. London. 1828.

2. *The Disowned.* By the Author of *Pelham* 3 Vols. 8vo. 2nd Edition. Colburn. 1829.

A Number of facts, of little moment in themselves, may be very significant as indications; "the tossing-up of a straw," says the adage, "will show which way the wind blows." A slight attention to the present rage for fictions, assuming to deal in genuine delineations of fashionable life, may prove equally instructive, in regard to a temporary current of taste and opinion. Taking the fact for granted, we are led to venture a few observations accordingly.

• It has often been remarked, that periods of strongly-conflicting thought and principle have been succeeded by intervals of a totally opposite character. It is almost trite, as examples of this truth, to advert to the times preceding and following the

restoration of that mirror of regal honour and good faith, the second Charles. In a minor degree, the same tendencies are deducible from a consideration of the progress of the French Revolution, and of the wars growing out of it, as compared with the season of peace which has followed. On the surface of society, at least, the operation of this principle of re-action is very plainly traceable. Whatever may be the ultimate consequences of the overthrow of Napoleon, it is obvious that when it took place, the party more decidedly abetting oligarchy and exclusion in this country deemed the triumph their own. Yet experience has shewn, that however fluctuating the result, the cause of liberty has been more favoured by the deliverance, than even royal license or aristocratic pretension. This, however, was not immediately found out, and hence the commencement of an almost frolicsome indulgence in fopperies and vagaries, as uncongenial with the general composition of society in Great Britain, as with sound philosophy. In the periodical and lighter walks of literature in particular, a class of writers arose, in whom an occasional strong exhibition of vigour or of talent, only served the more strikingly to exemplify its heartless prostitution. Looking to some of the more conspicuous of the productions of this at once bullying and sycophantic tribe; it might be imagined, that they originated in a settled plan for naturalizing the greater part of that social frippery, which our neighbours have been so intent upon throwing away; and with more than cidevant French insolence and want of feeling, to effect a formal adoption, in their most odious acceptance, of the exploded distinctions of gentleman and *roturier*. The discovery that the world was still disposed to go on, and that the season of national vanity and exultation having passed away, the social march was proceeding with even additional celerity, only rendered their exertions more virulent and incessant. Nothing in the provinces of fact, or of fiction, has been left unattempted, either to protect abuse, or prevent improvement, if the intended advantage of the many was supposed to interfere, in the slightest manner, with the interests or ascendancy of the few. All was deemed fair, from the most studied perversion of the reasoning powers, when grave and salutary objects were to be misrepresented, down to the lowest species of *persiflage* and raillery, if falsehood, with a grin upon her countenance, could be rendered more effectually subversive of truth.

Fortunately, we are only called upon at present to deal with the lighter part of this accusation, and that principally in advert-
ing to an artful operation on that prevalent and besetting weakness in the British people—a disposition to divide them-

selves into innumerable *castes*, each possessed with an extreme anxiety to encroach in one direction, and repel in another. The difficulty of establishing these impassable barriers in a commercial and adventuring country, only adds to the passion for constructing them, so that a calm looker-on might suppose the entire body-politic subservient to a natural law, like that of positive and negative electricity. In subservience to this puerile spirit, some of the most respectable and efficient grades in society, sanction the very ridicule which is exercised most unsparingly against themselves. Like Fag in "*The Rivals*," they break out of a soliloquy upon the meanness of venting the anger excited by insults from above on parties below, by kicking some imaginary inferior in the very frame of mind which they so sentimentally condemn. Sheridan knew human nature well, and so do our minor Tory scribes; who, in their Swiss exaltation of rank and patronage, rest for their popularity mainly upon this grovelling propensity. They perceive, in fact, that the passion for what it has become the order of the day to term the fashionable novel, springs much less from a rational desire to acquire a knowledge of human nature, as modified by the accidents of high birth and fortune, than from an anxiety to glean a few airs and graces, to be played off in succession, from stage to stage, until the toe of the peasant, once more intruding upon the heel of the courtier, all wits are upon the rack to invent new distinctions. It will be retorted, perhaps, that this species of vanity is of very ancient and reverend standing. Such is indisputably the case, but we doubt if it has ever been displayed with a baser spirit of political subserviency than in the last twelve months; during which period, contempt has been courted and evinced with rival pertinacity. Some of the late signs of the times, would, indeed, be socially ominous, if a counter-current were not incessantly at work, in the great deep of human affairs, to rectify the eddies and whirlpools at the surface, and to render even more important follies than those just adverted to, as futile as they are ridiculous.

Stepping from cause to effect, as regards the stories for grown children, which thrive and flourish so much under the auspices aforesaid, although numbers are continually appearing, which more or less exemplify the foregoing observations, we shall chiefly confine ourselves to those of two orders of writers, who have more especially claimed, or at least obtained, the title of fashionable novelists. Of these, the literati of the graver school, not only take the world of fashion under their sombre protection, but its religion, morality and political "whereabout." The mysteries of high life are not merely

unfolded, but in their most awful exclusiveness. As regards government, orthodoxy, and doctrinal and speculative points of all kinds, we are made acquainted with the tone of the very best company; meaning, of course, that *élite* of the aristocracy who are supposed to engross among themselves, not only the most refined sense of the mystic union between church and state, but those genuine patrician notions of morals and manners which are so effectively superinduced by a college course of Paley, assisted by the commentaries of a number of reverend tutors, who cannot but be right, since many become right reverend for composing them. The personages treated of in these sublime productions are necessarily in the highest degree, stilted, fastidious, and reserved. In the language of Ben Jonson's Master Stephen, the hero, above all things, must be supereminently "gentlemanly and melancholy;" and, moreover, like the prodigious Venetian senator of Voltaire, "too great a genius to be pleased with any thing." Possibly the most fatiguing and irksome of God's creatures, out of book, is a gloomy hypochondriac; but in a novel, a morbid wight of this description, is always infinitely interesting; not to mention that he can be cured at pleasure, by a due course of controversial divinity, or a close consideration of the thirty-nine articles. Our indisposition to this race of fashionable dealers in prose is, however, mitigated; in the first place, because more than one of them have displayed respectable powers of mind, much sentimental and critical acumen, and great occasional taste and elegance. Secondly, the comparative importance of the great mass of mankind is rather negatively than positively insinuated. Pains are not taken to make them ridiculous, as they are seldom mentioned at all, except possibly to convey an opinion that there is too great a solicitude to instruct them, for the due repose of those elevated spirits, who having satiated themselves into a sickly distaste of every thing, are clearly entitled to the exclusive government of their fellow creatures.

The coxcombry in the foregoing class of writers is grave, elaborate, and pedantic, but never vulgar; not so that of their more fertile and babbling brethren; a race who, even in their would-be display of fashionable routine, prove themselves "of the earth, earthy." Just what might be supposed to attract the chief attention of a newly-admitted lick-spittle—the mere verbiage and garniture of the dining or drawing-room—are eternally put forward, to prove a familiarity with habits and usages, an acquaintance with which, nothing can more certainly show to be either very rare, or very recent. But even this

species of vulgarity—vulgarity in its very essence—is not half so offensive as that low pandering to high-born vanity, which is implied by a contemptuous and systematic ridicule of all the rest of the world. It might be inferred from the caricatures of the majority of these writers—and lords have condescended to join them—that nothing like a man of easy, gentlemanly, and unaffected manners, was to be found in the more occupied walks of life—that every British trader was gross, vulgar, grasping, and illiterate; every professional man vain, pert, and assuming; and all “their women”—for so the phrase runs—tawdry, shallow, and affected. That something of all this will always be discoverable in a commercial and adventuring country, and that, so far, it will ever supply matter for humorous portraiture, may be conceded. The writers, however, to whom we object, deal with it unfairly; the individual is almost uniformly put forward as the representative of his class, with a sort of tacit insinuation, that such avocations must necessarily be attended with similar ignorance and ill manners; hence, too, by way of corollary, the inutility of a general diffusion of education. Now who, acquainted with the rapid progress of instruction and information, through every department of life in this country, beyond that of the merest day labourer, but must perceive the hacknied injustice and insipidity of eternally exemplifying a rule by an exception, or a class by a variety? The occupants of the more active walks of life in Great Britain are, without comparison, the most soundly disposed, and most practically informed portion of the British people. That they are, or can be, the most polished or refined in manners, it would be ridiculous to contend. Opulence, leisure, and an association with people of equal opulence and leisure, are necessary to that very negative species of acquirement, the perfection of which alone, the initiated will allow to be good breeding. To say nothing of the subtle watchfulness, impregnated with a small dash of the spirit of Mephistophiles, to ward off polite malice, if not occasionally to exhibit it, which it requires a peculiar species of social collision to engender. This is, doubtless, for the most part unattainable in the middle regions; but is it always observable even in the upper? for as to a myriad of mere fopperies and affectations, being always easy of imitation, they intrude every where, and are silly in all places. By the way, too, these antics and gambols form no small portion of the fashion of these days; and the principal part too, in the estimation of the scribbling vulgars, to whom we at present more directly refer. Books might be pointed out which have reached two or three editions, wherein this sort of

portraiture forms the avowedly fashionable portion of the composition; and, to acquire this precious lore, the wives and daughters of very good sort of people, and not unfrequently very good sort of people themselves, absolutely encourage every kind of insolent misrepresentation of their own persons, and of the rank of life to which they belong. To borrow from Othello, we know not if this be “passing strange;” but sure we are that it is “wondrous pitiful.”

But enough, in respect to persons who have the remedy in their own hands; let us proceed to trace this base and sinister spirit at work still more indefensibly; and that, as usual, to sweep away the possibility of the existence of any thing honourable or elevated in the ranks of humble dependence, where the slightest pretension may be presumed to arise out of intellect or acquirement, as distinguished from birth or condition. If there be a dependent or humble friend (if not a clergyman of the establishment) he is unavoidably a crawler or a parasite;—if there be a governess or companion she is as necessarily a leech or a toad-eater. One of these writers, and be it understood also, one of the most spirited and able of them, absolutely fell upon the whole tribe of school assistants. They were low-bred, mean, designing, greasy-faced, and, moreover, guilty of the enormity of covering their haunches with pepper and salt pantaloons, and their legs with rusty gaiters. What more proper than that, under such crying circumstances, they should be regarded with supreme hauteur and contempt by the children whom they assisted to instruct; and accordingly it is laid down as imperative on youths of gentility, to treat them with distance and contumely. What adds to the injustice in these cases is, that the fawning qualities so justly stigmatized in the one set of people; and the sordid poverty—for that seems to be nearly the whole of it—in the other, are all the handy work of their superiors. People never crawl and lick the dust, but in the presence of those who claim the prostration; and accomplished and thorough-bred tutors, will not be lured by parsimonious pedagogues for thirty or forty pounds a year. The degradation of people employed in tuition is doubly oppressive and mischievous; and the injurious operation of these feelings on the manners of youth of both sexes cannot have been unnoticed by those who have open eyes. Much of the English *morgue*, especially as displayed towards inferiors, has been engendered by this species of inculcation; and how very little it is congenial with the present increasing information, and watchful observation, of every rank of society, is becoming abundantly apparent. Of this truth, the recent excellent circular, issued from the Horse Guards, in

correction of the general deportment of the officer to the soldier, affords a very gratifying proof; and we hail its appearance as the harbinger of similar melioration, throughout the entire chain of dependence. At no time has it ever been so incumbent on the possessor of the vantage ground in society, to strengthen and augment a cordial state of relationship between superior and inferior. It is useless to assail this expediency by fulminations against the march of intellect.—Intellect will march, and knowledge will diffuse itself. King Canute once exemplified the folly of preaching to the waves of the sea, to come no further. A certain order of politicians may as well take the hint in respect to an approximation of waves metaphorical; and, as they will advance in spite of them, place the royal and noble chairs it is their avowed purpose to protect, as far beyond high water mark as they are able; and remain satisfied.

Though belonging to the class just alluded to, the novels which are the immediate object of present attention are almost wholly free from the narrow, exclusive, and clannish bigotry which disgraces the majority. • PELHAM, indeed, is in many respects, a satire on the world of fashion which it assumes to pourtray, as well as upon the dandyism which is to be apparently exalted. There is, however, a keen although playful earnestness in much of the observation, that proves the anxiety of the author to mix up a portion of Epicurean dignity, in his abstract notions of the finished gentleman of the day. We are by no means satisfied that he has succeeded, as regards either the character or the adventures of his hero. The component parts of the former are, address, courage, skill in the manly exercises, a profound tact in relation to every thing connected with the *savoir vivre*, systematic, but very cool and airy gallantry, imperturbable temper, and infinite self complacency. So far, our readers will perceive a comfortable absence of sentiment and high colouring; and, to say the truth, our exquisite sports nothing at all Grandisonian either in morals or manners. Neither is there much more of the *preux chevalier* of our essayists and tale-writers; and so far, as compared with the really existing class of Wellbreds and Wellborns to which he is made to belong, he exhibits a greater degree of verisimilitude. We doubt, however, if his exercise of personal address can be reconciled to any standard; it partakes too much of simulation and positive deceit; and the greater part of his adventures is altogether improbable. Neither is he extremely happy in his display of character, at least as exhibited in action or self-illustration. As simple portraits, and occasionally in dialogue, they are more felicitous. A gloomy episode, which threads the whole work, is

extremely distasteful, and might excite wonder for its incongruity; but that experience proves the very frequent failure of men of wit, in the exercise of purely imaginative power; generally wrecking themselves upon one of the two extremes of insipidity or extravagance. In the present instance, we are presented with the portrait of an individual plotting as diabolical a scheme of revenge as could enter the human head or heart, and to be carried into effect by means equally low and detestable. Some of the gentlemanly performances, of the gentleman, *par excellence*, Pelham himself, are not to be admired; but one or two of the doings of his magnificent friend Glanville are absolutely demoniacal. In short, neither as to story or full length portraiture, does Pelham advance any very extraordinary claim to attention; and yet it is by far the most amusing book we have lately read, for wit, irony, good-humoured satire, and playful vivacity. It is obvious, too, that the author has mingled in the society which he undertakes to describe; has been attentive to its spirit, and caught a due impression of its real caprice and waywardness; its assumed repose; the tone of its jargon; its affected want of affectation; and of the score or two of indescribabilities, which render all assimilation with these circles on the part of the profane vulgar, utterly impossible. Nor, as already observed, does he spare his darts in dealing with these super-celestial matters, which gives a fairness to his more general satire, which it is in vain to look for from the less gifted and servile herd of traders in fashionable *materiel*. He also occasionally displays still higher qualities—his wit not unfrequently deepens into wisdom; and remarks from time to time escape him, exhibiting a solidity approaching to the profound. But something more than enough in the way of introduction; let a few quotations more directly illustrative of the preceding observations, do the rest.

And first, as to impartiality of satire, the following lights on commencement will satisfy all the world that the author of Pelham has no anxiety either to conceal or to spare certain little errors in practice, which now and then disturb the moral fitness of things, in fashionable life:

‘I am an only child. My father was the younger son of one of our oldest earls, my mother, the dowerless daughter of a Scotch peer. Mr. Pelham was a moderate whig, and gave sumptuous dinners;—Lady Frances was a woman of taste, and particularly fond of diamonds and old china.

‘Vulgar people know nothing of the necessities required in good society, and the credit they give is as short as their pedigree. Six years after my birth, there was an execution in our house. My mother

was just setting off on a visit to the duchess of D——; she declared it was impossible to go without her diamonds. The chief of the bailiffs declared it was impossible to trust them out of his sight. The matter was compromised—the bailiff went with my mother to C——, and was introduced *as my tutor*. “A man of singular merit,” whispered my mother, “but so shy!” Fortunately, the bailiff was abashed, and by losing his impudence he kept the secret. At the end of the week, the diamonds went to the jeweller’s, and lady Frances wore paste.

‘I think it was about a month afterwards that a sixteenth cousin left my mother twenty thousand pounds. “It will just pay off our most importunate creditors, and equip me for Melton,” said Mr. Pelham.

“It will just redeem my diamonds, and new furnish the house,” said lady Frances.

‘The latter alternative was chosen. My father went down to run his last horse at Newmarket, and my mother received nine hundred people in a Turkish tent. Both were equally fortunate, the *Greek* and the *Turk*; my father’s horse *lost*, in consequence of which he pocketed five thousand pounds, and my mother looked so charming as a sultana, that Seymour Conway fell desperately in love with her.

‘Mr. Conway had just caused two divorces; and of course, all the women in London were dying for him—judge then of the pride which lady Frances felt at his addresses. The end of the season was unusually dull, and my mother, after having looked over her list of engagements, and ascertained that she had none remaining worth staying for, agreed to elope with her new lover.

‘The carriage was at the end of the square. My mother, for the first time in her life, got up at six o’clock. Her foot was on the step, and her hand next to Mr. Conway’s heart, when she remembered that her favourite china monster and her French dog were left behind. She insisted on returning—re-entered the house, and was coming down stairs with one under each arm, when she was met by my father and two servants. My father’s valet had discovered the flight (I forget how), and awakened his master.

‘When my father was convinced of his loss, he called for his dressing gown—searched the garret and the kitchen—looked in the maids’ drawers and the cellaret—and finally declared he was distracted. I have heard that the servants were quite melted by his grief, and I do not doubt it in the least, for he was always celebrated for his skill in private theatricals. He was just retiring to vent his grief in his dressing-room, when he met my mother. It must altogether have been an awkward *rencontre*, and, indeed, for my father, a remarkably unfortunate occurrence; for Seymour Conway was immensely rich, and the damages would, no doubt, have been proportionably high. Had they met each other alone, the affair might easily have been settled, and lady Frances gone off in tranquillity;—those d——d servants are always in the way!

‘I have, however, often thought that it was better for me that the

affair ended thus,—as I know, from many instances, that it is frequently exceedingly inconvenient to have one's mother divorced.

'I have observed that the distinguishing trait of people accustomed to good society, is a calm imperturbable quiet, which pervades all their actions and habits, from the greatest to the least; they eat in quiet, move in quiet, live in quiet, and lose their wife, or even their money, in quiet; while low persons cannot take up either a spoon or an affront without making such an amazing noise about it. To render this observation good, and to return to the intended elopement, nothing farther was said upon that event. My father introduced Conway to Brookes's, and invited him to dinner twice a week for a whole twelvemonth.

'Not long after this occurrence, by the death of my grandfather, my uncle succeeded to the title and estates of the family. He was, as people justly observed, rather an odd man: built schools for peasants, forgave poachers, and diminished his farmer's rents; indeed, on account of these and similar eccentricities, he was thought a fool by some, and a madman by others. However, he was not quite destitute of natural feeling; for he paid my father's debts, and established us in the secure enjoyment of our former splendour. But this piece of generosity, or justice, was done in the most unhandsome manner; he obtained a promise from my father to retire from Brookes's, and relinquish the turf: and he prevailed upon my mother to take an aversion to diamonds, and an indifference to china monsters.'

The modern course of education of future men of rank, fashion, and influence, is thus pleasantly adverted to. Correct caricature is merely a heightening of features really existent.

'I was in the head class when I left Eton. As I was reckoned an uncommonly well educated boy, it may not be ungratifying to the admirers of the present system of education to pause here for a moment, and recal what I then knew. I could make twenty Latin verses in half an hour; I could construe, *without* an English translation, all the easy Latin authors, and many of the difficult ones, *with it*; I could read Greek fluently, and even translate it through the medium of a Latin version at the bottom of the page. I was thought exceedingly clever, for I had only been eight years acquiring all this fund of information, which, as one can never recal it in the world, you have every right to suppose that I had entirely forgotten before I was five and twenty. As I was never *taught* a syllable of English during this period; as when I once attempted to read Pope's poems, out of school hours, I was laughed at, and called "*a sap*;" as my mother, when I went to school, renounced her own instructions; and as, whatever school-masters may think to the contrary, one learns nothing now-a-days by inspiration; so of every thing which relates to English literature, English laws, and English history (with the exception of the said story of Queen Elizabeth and Lord Essex), you have the same right to suppose that I was, at the age of eighteen, when I left Eton, in the profoundest ignorance

‘At this age, I was transplanted to Cambridge, where I bloomed for two years in the blue and silver of a fellow-commoner of Trinity. At the end of that time (being of royal descent), I became entitled to an *honorary* degree. I suppose the term is in contradistinction to an *honourable* degree, which is obtained by pale men in spectacles and cotton stockings, after thirty-six months of intense application.

‘I do not exactly remember how I spent my time at Cambridge. I had a piano-forte in my room, and a private billiard-room at a village two miles off; and between these resources, I managed to improve my mind more than could reasonably have been expected. To say truth, the whole place reeked with vulgarity. The men drank beer by the gallon, and eat cheese by the hundred weight—wore jockey-cut coats, and talked slang—rode for wagers, and swore when they lost—smoked in your face, and expectorated on the floor. Their proudest glory was to drive the mail—their mightiest exploit to box with the coachman—their most delicate amour to leer at the barmaid.

‘It will be believed, that I felt little regret in quitting companions of this description. I went to take leave of our college tutor. “Mr. Pelham,” said he, affectionately squeezing me by the hand, “your conduct has been most exemplary; you have not walked wantonly over the college grass-plats, nor set your dog at the proctor—nor driven tandems by day, nor broken lamps by night—nor entered the chapel in order to display your intoxication—nor the lecture-room, in order to caricature the professors. This is the general behaviour of young men of family and fortune; but it has not been your’s. Sir, you have been an honour to your college.”

‘This closed my academical career. He who does not allow that it passed creditably to my teachers, profitably to myself, and beneficially to the world, is a narrow-minded, and illiterate man, who knows nothing of the advantages of modern education.’

The principle upon which simulation is made to form so essential a part of the practice of a gentleman, is thus maternally laid down by the virtuous lady Frances Pelham; whose great object is to make her son, that finished man of fashion which he afterwards becomes:

‘If you are ever at a loss as to the individual character of a person you wish to gain, the general knowledge of human nature will teach you one infallible specific,—*flattery*! The quantity and quality may vary according to the exact niceties of art; but in any quantity and in any quality it is more or less acceptable, and therefore certain to please. Only never (or at least very rarely) flatter when other people, besides the one to be flattered, are by; in that case you offend the rest, and you make even your intended dupe ashamed to be pleased.’

‘In general, weak minds think only of others, and yet seem only occupied with themselves; *you*, on the contrary, must appear wholly engrossed with those about you, and yet never have a single idea which does not terminate in yourself: a fool, my dear Henry, flatters himself—a wise man flatters the fool.’

In the same elevated spirit, Pelham is thus made to apostrophise in his own character :

‘What a rare gift, by the bye, is that of manners! how difficult to define—how much more difficult to impart! Better for a man to possess them, than wealth, beauty, or talent; they will more than supply all. No attention is too minute, no labour too exaggerated, which tends to perfect them. He who enjoys their advantages in the highest degree, viz., he who can please, penetrate, persuade, as the object may require, possesses the subtlest secret of the diplomatist and the statesman, and wants nothing but opportunity to become “great.”’

In the spirit of these convictions, the hero is uniformly prompted to act. He is made to obtain all sorts of advantages by adapting himself to the humours and weaknesses of others; and in an electioneering proceeding, by deporting himself so as to lead them to believe that he is of their own political creed, he juggles partizans out of their votes on both sides. Of course, as regards gallantry, *bonnes fortunes*, and similar matters, they are all in perfect accordance with “that which makes the morality of the upper classes; and which no criminal is supposed to be hardy enough to reject; that religion which has no scoffers; that code which has no impugnors; that *honour* among gentlemen, which constitutes the moving principle of the society in which they live.” Nay, the author seems to imagine, that all sorts of virtues can flourish beneath the coat of varnish thus elegantly laid on; for instance, our gentleman is thus addressed by a lady of extreme penetration :

“I would *not* make such a confession to many beside yourself,” answered Lady Roseville; “nay, you need not thank me, I am some years older than you; I have lived longer in the world; I have seen much of its various characters; and my experience has taught me to penetrate and prize a character like yours. While you seem frivolous to the superficial, I know you to have a mind not only capable of the most solid and important affairs, but habituated by reflection to consider them. You appear effeminate, I know that none are more daring—indolent, none are more actively ambitious—utterly selfish, and I know that no earthly interest could bribe you into meanness or injustice—no, nor even into a venial dereliction of principle. It is from this estimate of your character, that I am frank and open to you. Besides, I recognize something in the careful pride with which you conceal your higher and deeper feelings, resembling the strongest actuating principle in my own mind. All this interests me warmly in your fate; may it be as bright as my presentiments forebode.”

Now the compatibility of the external with the internal Pelham, as here portrayed, is altogether out of the question. Nay the author has been unable even to feign a course of adventures

to make them so. Nothing is done by the hero in the whole of the three volumes, of any very momentous consequence; and with singular inconsistency, he is represented as a dupe at last, to a political nobleman of an acknowledged mediocre capacity. In point of fact, mere manners are not so very powerful in worldly intercourse, as the author of *Pelham* would imply; on the contrary, when it becomes suspected that they are made subservient to interested purposes, they are not only powerless but distasteful. It may be observed, that it is not the author, but his *beau-ideal*, who expatiates thus complacently; but it must not be concealed, that in no small portion of soul and sentiment they are evidently identical. The former, indeed, may be deemed a kind of Hercules, vibrating between Virtue and Pleasure; which, for the nonce, may signify the right, and the modish or conventional. How many free spirits have toiled in vain—how many free spirits may still toil in vain, to produce a legitimate connection between principles which are only incidentally co-existent. All attempts to make a guide of that thing of mere agreement, called honour, which is a pure accident of time and locality, have more especially failed. Fashion—honour in this sense being nothing more—is a *mode*, not a *substance*; and a little philosophy is not to be altogether dispensed with in writers like the author of *Pelham*.

Very favourable specimens occur of the author's skill in that light, off-hand, piquant portraiture, and dialogue, in which the charm of writers of this class chiefly consists. So many of our readers, however, will have perused the book, and so many more have encountered extracts from it of this precise description, the omission of them here will amount to very little. Suffice it to observe, that *Pelham* lacks nothing of the keen detective spirit, which so directly distinguishes a class of society, the principal employment of the individuals of which is, to watch and study the manners, the motives, the thoughts, and the expressions, of each other. It would be superfluous to observe, that with fine occasional opportunities for nice and acute discrimination, within a circumscribed circle, in reference to the wide and general field of human nature, this branch of characteristic study is petty and inconsequential in the extreme. Literary productions, however, whether of smaller or greater importance, are to be tried only by their pretensions, and "*Pelham*" has certainly not been published as an appendix to Paley. A work of genius must not, however, be allowed to pass by without a good-humoured protest against doctrines, either direct or inferential, which play at fast and loose with truth and falsehood, and legitimate, positive deception as a

current social coin. This practice we are too often constrained to tolerate, but, at all events, let us never sanction the principle. On the contrary, be it always set down, that all dissimulation is unwarrantable, beyond that prudent reserve which is essential to self protection, and a due dealing with the varied circumstances of active life—all simulation positively base, the object of which is palpably to profit by assuming to be what we are not, and to sacrifice the interests of society to our own.

Upon the second production of the same author, "*The Disowned*," we shall be comparatively brief. To a certain degree it partakes both of the merits and defects of its predecessor; but as to unity of design, and felicity of execution, it is doubtless inferior. An individual, who is presumed to tell his own adventures, with a view to the illustration of a selected class of character, cannot altogether wander from the point. Narrative in the third person, on the contrary, is very apt to drift away from original purpose. *Pelham*, upon the whole, is too episodical; but the story of "*The Disowned*" absolutely proceeds in parallel lines in the most respectful, mathematical disconnection. In a very ingenious preface to the second edition, the author endeavours to defend this defect as altogether unimportant, if not an advantage, being more natural and analogous to real life. Would it not have been more candid to admit that he wrote in haste, and under the forcible stimulus of a previous flattering reception, and of a bustling bookseller's recommendation? Some of his reasoning to prove that his defects are virtues, and his novel precisely what it might, or ought to be, reminds us of the Chevalier Ramsay's elaborate determination that *Telemachus* should be an epic poem. Happily, we can plead for the author what he cannot so decently plead for himself, that with singular deficiencies as to story and connexion, very lamentable failure as to humorous personation, and some most questionable rhapsody, in the way of sentiment, the man of genius is perceptible from one end of this work to the other. The author has, moreover, assumed a far loftier moral tone than in *Pelham*: lightened, however, by no small additional display of an intimate acquaintance with the aerial regions of fashion. There he is happy in his delineations of character; his loftier personages are mere abstractions, his sketches from common life very forced and unnatural. As in "*Pelham*," the best of these drawings consist of attempts to fill up the outline of certain known and conspicuous characters; still, even these exceedingly want an air of nature, and would scarcely be known except by the introduction of circumstances with which their names are associated. To sum up in a sentence, he is quite at home only among

the “gay creatures which play,” not “in the plighted clouds,” but “in saloons and coteries.” In the language of Collins, the “countless manners” form his province, and persons of this rank of life are describable by little else. In reference to them the adage always applies, “Manners make the man:” at least there is little else for sensible representation. We must repeat, however, that “*The Disowned*” is a magnificent failure, and pays a far more undivided homage to lofty virtue and generous purpose than its predecessor. The following passage put into the mouth of a repentant votary of vanity, towards the close of life, is in a fine strain of enthusiasm :

‘I have every thing now in my possession which it has been the desire of my late years to enjoy ; health, retirement, successful study, and the affection of one, in whose breast, when I am gone, my memory will not utterly pass away. With these advantages, added to the gifts of fortune, and an habitual elasticity of spirit, I confess that my happiness is not free from a biting and frequent regret : I would fain have been a better citizen ; I would fain have died in the consciousness, not only that I had improved my mind to the utmost, but that I had turned that improvement to the benefit of my fellow-creatures. As it is, in living wholly for myself, I feel that my philosophy has wanted generosity ; and my indifference to glory has proceeded from a weakness, not, as I once persuaded myself, from a virtue ; but the fruitlessness of my existence has been the consequence of the arduous frivolities and the petty objects in which my early years were consumed ; and my mind, in losing the enjoyments which it formerly possessed, had no longer the vigour to create for itself a new soil, from which labour it could only hope for more valuable fruits. It is no contradiction to see those who most eagerly courted society in their youth, shrink from it the most sensitively in their age ; for those who possess certain advantages, and are morbidly vain of them, will naturally be disposed to seek that sphere for which those advantages are best calculated ; and when youth and its concomitants depart, the vanity so long fed still remains, and perpetually mortifies them by recalling not so much the qualities they have lost as the esteem which accompanied their possession ; and by contrasting not so much their own present alteration, as the change they experience in the respect and consideration of others. What wonder, then, that they eagerly fly from the world, which has only mortification for their self-love, or that we find in biography how often the most assiduous votaries of pleasure have become the most rigid of recluses ? For my part, I think that that love of solitude which the ancients so eminently possessed, and which, to this day, is considered by some as the sign of a great mind, nearly always arises from a tenderness of vanity, easily wounded in the commerce of the rough world ; and that it is from disappointment that the hermitage is wrought. Diderot did right, even at the risk of offending Rousseau, to write against solitude. The more a moralist binds man to man, and forbids us to divorce our in-

terests from our kind, the more effectually is the end of morality obtained. They only are justifiable in seclusion who, like the Greek philosophers, make that very seclusion the means of serving and enlightening their race—who from their retreats send forth their oracles of wisdom, and make the desert which surrounds them eloquent with the voice of truth. But remember, Clarence (and let my life, useless in itself, have at least this moral), that for him who in nowise cultivates his talent for the benefit of others, who is contented with being a good hermit at the expense of being a bad citizen; who looks from his retreat upon a life wasted in the *difficiles nugæ* of the most frivolous part of the world, nor redeems in the closet the time he has mis-spent in the saloon; remember, that for him seclusion loses its dignity, philosophy its comfort, benevolence its hope, and even religion its balm. Knowledge, unemployed, will preserve us from vice—for vice is but another name for ignorance—but knowledge employed is virtue. Perfect happiness, in our present state, is impossible; for Hobbes says justly, that our nature is inseparable from desires, and that the very word desire (the craving for something not possessed) implies that our present felicity is not complete. But there is one way of attaining what we may term, if not utter, at least mortal happiness; it is this—a sincere and unrelaxing activity for the happiness of others. In that one maxim is concentrated whatever is noble in morality, sublime in religion, or unanswerable in truth. In that pursuit we have all scope for whatever is excellent in our hearts, and none for the petty passions which our nature is heir to. There, whatever be our errors, there will be nobility, not weakness, in our remorse; whatever our failure, virtue not selfishness in our regret; and in success, vanity itself will become holy, and triumph eternal. As astrologers were wont to receive upon metals, “the benign aspect of the stars, so as to detain and fix, as it were, the felicity of that hour which would otherwise be volatile and fugitive,” even so will that success leave imprinted upon our memory a blessing which cannot pass away—preserve for ever upon our names, as on a signet, the hallowed influence of the hour in which our great end was effected, and treasure up “the relics of heaven” in the sanctuary of an human frame.’

The real hero of “The Disowned,” is an ambitious portrait of a stoic; a man of lofty virtue, which no difficulty or distress can subdue; he is too antique in his costume to appear natural in a modern novel; neither is it very easy to conceive how the misery which is made to assail him, could befall an individual of family and connexion, in a country like Great Britain. But, setting all this aside, the conception is lofty, and affords a vehicle for some very vivid and forcible eloquence; the eloquence, however, we must add, is more striking than the philosophy is sound; as for instance—

“It is true that the sanguineness of philanthropists may have carried them too far; it is true (for the experiment has not yet been

made) that God may have denied to us, in this state, the consummation of knowledge, and the consequent perfection in good ; but because we cannot be perfect, are we to resolve we will be evil ? One step in knowledge is one step from sin : one step from sin is one step nearer to heaven. Oh ! never let us be deluded by those, who, for political motives, would adulterate the divinity of religious truths : never let us believe that our Father in Heaven rewards most the one talent unemployed, or that prejudice, and indolence, and folly, find the most favour in His sight : never let us believe that we shall acknowledge His power the least when we can best survey it ; or that, whether we trace its operation through the springs of the subtle heart, or unravel its wonders in the intricate womb of earth, or follow its grandeur from hence to the stars of unfathomable space, we shall have less cause to adore His wisdom, than if we remained unable to comprehend its smallest wonder—or that we should lose our reverence for His greatness, by ascertaining the vastness of its extent. Oh ! never let us bow to such an error !—never let us give so powerful a sanction to guilt, as to favour the obscurity and darkness which are at once its origin and retreat ! Never let us believe that a single drop of ignorance has flowed to us from the fountain of all knowledge ! Has not the Inspired One proclaimed to us the reverse ? Have we not been told that he ‘ who sinneth against wisdom wrongeth his own soul ? ’ Has not the very heathen bequeathed to us an estimate of the Deity, which only Inspiration can excel ? And when Plato so sublimely said, ‘ truth is the body of God,’ did he not add in a still sublimer spirit, ‘ and light is his shadow.’

“ Persuaded, then, that knowledge contained the key to virtue, it was to knowledge that I applied. The first grand lesson which it taught me, was the solution of a phrase most hacknied—least understood, viz., ‘ common sense.’ It is in the Portico of the Greek sage that that phrase has received its legitimate explanation ; it is there we are taught that ‘ common sense’ signifies ‘ the sense of the common interest.’ Yes ! it is the most beautiful truth in morals, that we have no such thing as a distinct or divided interest from our race. In their welfare is ours ; and, by choosing the broadest paths to effect their happiness, we choose the surest and the shortest to our own. As I read and pondered over these truths, I was sensible that a great change was working a fresh world out of the former materials of my mind. My passions, which before I had checked into uselessness, or exerted to destruction, now started forth in a nobler shape, and prepared for a new direction : instead of urging me to individual aggrandizement, they panted for universal good, and coveted the reward of Ambition, only for the triumphs of Benevolence.

“ This is one stage of virtue—I cannot resist the belief that there is a higher : it is when we begin to love virtue, not for its objects, but itself. For there are in knowledge these two excellencies :—first, that it offers to every man, the most selfish and the most exalted, his peculiar inducement to good. It says to the former,

‘Serve mankind, and you serve yourself;’—to the latter, ‘In choosing the best means to secure your own happiness, you will have the sublime inducement of promoting the happiness of mankind.’

‘“The second excellence of Knowledge is, that even the selfish man, when he has once begun to love Virtue from little motives, loses the motives as he increases the love: and at last worships the Deity, where before he only coveted the gold upon its altar. And thus, I learned to love Virtue solely for its own beauty. I said with one who, among much dross, has many particles of ore, ‘If it be not estimable in itself, I can see nothing estimable in following it for the sake of a bargain.’”

‘“I looked round the world, and saw often Virtue in rags, and Vice in purple: the former conduces to happiness, it is true, but the happiness lies within, and not in externals. I contemned the deceitful folly with which writers have termed it poetical justice, to make the good ultimately prosperous in wealth, honour, fortunate love, or successful desires. Nothing false, even in poetry, can be just; and that pretended moral is of all the falsest. Virtue is not more exempt than Vice from the ills of fate, but it contains within itself always an energy to resist them, and sometimes an anodyne to soothe—to repay your quotation from Tibullus,

‘“‘Crura sonant ferro—sed canit inter opus!’”

‘“When in the depths of my soul I set up that divinity of this nether earth, which Brutus never really understood, if, because unsuccessful in its efforts, he doubted its existence, I said in the proud prayer with which I worshipped it, ‘Poverty may humble my lot, but it shall not debase thee; Temptation may shake my nature, but not the rock on which thy temple is based; Misfortune may wither all the hopes that have blossomed around thine altar, but I will sacrifice dead leaves when the flowers are no more. Though all that I have loved perish—all that I have coveted fade away, I may murmur at fate, but I will have no voice but that of homage for thee! Nor while thou smilest upon my way, would I exchange with the loftiest and happiest of thy foes!’ More bitter than aught of what I then dreamed, have been my trials, but I have fulfilled my vow!’”

Willingly have these pages been given to an author with whom a popular portion of the reading world will be courted into a further acquaintance. We have not deemed it inexpedient to mark the commencement of a literary acquaintanceship, which may possibly prove of long standing. One parting remark is, however, indispensable; novels are not only improved by an attention to form, connexion, and development, but are usually written better in six months than in three. It may also be added, that men of wit and brilliancy are more celebrated for quick observance, than fertile invention, and that they can seldom manage very broad humour at all; the point of all

which, simply speaking is, that it is always better to do that which can be well done, and to avoid modes of handling, which are obviously uncongenial with the powers to be exerted in their display.

ART. XII.—*A Personal Tour through the United Kingdom, describing living objects and contemporaneous interests.* By Sir Richard Phillips. No. I. Bedfordshire, Northamptonshire, Leicestershire. Horatio Phillips, Charing Cross.

WE had proceeded but a little way in the perusal of this narrative, the commencement as we hope of a series of some length, when it occurred to us that we might contribute at once to the information and amusement of the public, by doing what depends upon us towards the circulation of it.

Should our humble advice have the good fortune to be listened to, sir Richard will henceforward leave undisturbed at the brink of the gulph of oblivion to which he has condemned them, Bacon with his Experimental Philosophy, Newton with his *Attraction*, Adam Smith with his Political Economy, and Bentham with his Greatest Happiness Principle.

While observing the *acharnement* with which on this as on so many other occasions our knight goes out of his way to run a tilt against these intruders upon his universal empire, and as he pushes on by the force of his imagination renders physical light an instrument of intellectual darkness (light is his substitute for attraction); a suspicion has struck us, that in his pericranium, the organ of observation, which is so prominent in it, has encroached upon the organ of ratiocination, and given it an unfortunate twist.

These remarks have no object more unfavourable to him than the giving to his readers a salutary warning, and preventing them from being provoked by his heretical excursions, to toss the work aside in a pet, and thus deprive themselves of the information and gratification, which we venture to promise them from it.

When we observe how the schoolmaster in the language, of Sternhold and Hopkins, “on the wings of mighty winds, is flying all abroad,” we should not forget in how many ways and to what an extent the quondam hosier of Newgate Street, has shown himself one of the school’s most useful ushers.

On the subject of education, a very cheering picture is here exhibited: the means of obtaining instruction are becoming more and more within the reach of those who may be willing to

be instructed of whatever class. Newspapers, public and circulating libraries, book societies, and schools of all kinds, are springing up in every direction.

But we shall endeavour to give a succinct account of the author's progress, and of the more material matters which fell under his observation. In his way to Bedford, he passed through St. Alban's: close to this town was the retreat of lord Bacon,—Gorhambury Woods; and this affords the founder of the "New System of Philosophy" an opportunity of demolishing in a summary way the antiquated notions contained in the 'Novum Organum,' and their unfortunate author. St. Alban's, once the seat of so much bustle, is now the quiet retreat of London citizens. It contains several booksellers' shops, many schools, and two or three book societies. A newspaper has been projected with every prospect of success. The only manufacture of the place is straw-plait, which for twelve hours hard labour yields no more than from ten-pence to fifteen-pence of wages. Throughout Bedfordshire the roads are in the most admirable condition, possessing all the desirable qualities in perfection; should a rut be discovered within twenty miles of the county town, it would be considered as a disgrace to the authorities. We recommend Mr. M'Adam to pay a visit to the mayor of Bedford, who happens to be the maker of these roads, and we should imagine he may obtain some useful hints, which might be turned to good account in some of our London streets. Several relics of John Bunyan, author of the celebrated Pilgrim's Progress, are to be seen in Bedford. All the various religious congregations have their book societies, and the Moravians have a female school, in which children of any persuasion receive instruction; an example which other sects would confer honour on themselves by following. The public schools are so numerous and so amply provided for, that there is no school in the town in which parents have to pay the master. The appointment to the masterships of these establishments being in the gift of New College, Oxford, the system of education pursued in them is not, as may easily be imagined, so much in accordance with the spirit of the age, as it would be if the appointment was vested in the inhabitants; efforts however are making to enlarge the objects of the English school. All sorts of charitable institutions are in great abundance. There are two or three printing offices, and three or four well-stocked booksellers' shops; in short Bedford seems to want nothing but a local newspaper. It abounds in public-spirited individuals, is well governed, well built, and liberalism prevails among the inhabitants, and all this is in spite of a close corporation, from

which, however, intelligence and good feeling have not been altogether excluded. "I heard, therefore," says sir Richard, "none of the usual complaints in regard to the ignorance, impertinence, and narrow-mindedness, which too commonly render these institutions of semi-barbarous ages curses on towns which they at once oppress and degrade."

Passing through Olney, celebrated from having been the residence of the poet Cowper, and Newport Pagnell, we are brought to Northampton. The entrance into this county is indicated by the comparatively bad state of the roads. Northampton is afflicted by a close corporation, in which intelligence and public spirit have found no place. The consequence is, that, although from its situation, the town possesses considerable advantages, which might be turned to good account, the authorities have done nothing for public improvement. Notwithstanding this, the inhabitants have not been backward in any thing which depended on themselves. They support several good schools, plenty of booksellers' shops, which seem busily occupied, and a newspaper will shortly be established. Much of this is to be attributed to the great influence exercised by the Dissenters. They are equal in number to the Members of the Established Church; in the town and in the villages throughout the county they constitute a very large majority of the population. The Baptists have the largest congregation, and next to them the Unitarians. Each sect has its book-society. Northampton carries on a very extensive manufacture of shoes: Mr. Brunel began making shoes by steam, at Battersea, but his manufactory being burnt down by accident or design, no further attempts have been made to introduce the aid of machinery.

The sight of lord Spencer's books and their bindings, at Althorpe, makes sir Richard a little angry. "In a word, I considered this Althorpe library, thus set down in a wilderness, as very useless, and very ostentatious." But in the very next paragraph, he is in ecstasies at beholding in this same wilderness seven hundred highly rare and valuable pictures.

A curious dialogue is given as having occurred at Guilborough between a poor woman and a lawyer's clerk, on the advantages of a classical education; the woman is found sending her boy to the grammar school, where he can learn Latin and Greek for nothing, while the lawyer's clerk tries to persuade her to send him to a school where he may acquire some knowledge that may be of use to him. The reasoning of the woman is worthy of an honourable House.—
"You may say what you please, master, but as soon as my

Tommy is old enough, he shall go there. *Larning's a fine thing*: and Tommy shall be as *larn'd* as the best o' them!"

At Clipstone, which is not far from Naseby Field, the Dissenters are as two or three to *one* churchman. In a conversation with the author, a clergyman of the Established Church ascribed the increase of the Dissenters to the pretty tunes which they play in their chapels, at the same time observing, that he was nearly converted to their doctrine *himself*, from hearing their hymns, as he walked in his garden.

Boarding schools abound in Harborough. This town is famous for its carpets, particularly a new sort, called Damask. It forms the termination to a canal from Leicester. The interrogative system of teaching prevails here, as in almost every other place: the merit of having introduced the system is claimed by our author.

"There is nothing new under the sun," is a trite saying, but sir Richard Phillips found every thing new at Leicester. It used modestly to stand on one side of the road, now it occupies both sides; steam engines have been erected, factories established, and streets of elegant modern houses have branched out in all directions. It was thirty-three years since the literary knight had seen Leicester, and on mentioning this circumstance he dissertates with great complacency on the number thirty-three. "It was the term of the life of Alexander the Great:" strain heroical; "it was the length of the entire period described by the four Evangelists;" strain theological; "it is the average duration of the life of man;" strain personal. These changes, or perhaps we ought to say, these innovations seem to have put him in an ill humour, for at the sight of the steam engines, and new buildings, sir Richard sets to work à la Cobbett, and talks of "equitable adjustment; fools and political economists;" and is fearful that there is a perverse design to deprive us of our usury laws, one of the "fulcrums of our social system."

Leicester carries on a very extensive manufacture of woollen articles. A great deal of lace is made there, which is woven both by hand and by steam. Vast quantities of worsted are spun by machinery. For weaving hose the men earn no more than from eight to twelve shillings a week, and the women about seven shillings; though for fancy and lace work they may earn double this sum. Near twenty thousand men, women, and children, are employed in the entire manufacture of the town.

The Dissenters are here, twice as numerous as the Churchmen. Every congregation has a Sunday-school attached to it; besides these there are private schools, parochial schools, and

the national school. The town library consists of theological works, collected a hundred and sixty years ago, and serves as a laughing-stock to the place. The permanent subscription library, founded by sir R. Phillips in 1790, is flourishing; and a news-room, and medical subscription library have been established. Leicester supports two newspapers, a liberal "*Chronicle*," and an orthodox "*Journal*." Miss Linwood, the so much admired painter in needlework, is still there, conducting a girls' boarding school, and we are glad to hear that for the last year or two she has been engaged on another large picture, which it is said will even surpass her former productions.

One of the largest factories in the district is near Loughborough, it contains a steam engine of thirty-horse power, which works well without either oil or grease. Three thousand dozen of stockings are manufactured at Loughborough in one week. It has a public library and two book societies.

Mr. Brougham's Commissioners have not been altogether without their use, for the very apprehension of a visit from them has, it would appear in several instances, caused the introduction of reforms. "I have heard of them every where; but they have too often done no more than restore the ancient monkish system of education:" wherever such was the system marked out by the founders of these institutions, we apprehend this is all that the commissioners were empowered to do.

This number contains one or two good stories, in particular that of the Alchemist, from which we shall give an extract. The subject of it dwells at the village of Lilley, which is not very far from St. Alban's; his name is Kellerman, and his neighbours believe that he has discovered the Philosopher's Stone and the Universal Solvent. The house in which he lives is in a most dilapidated state, and surrounded by high walls lined with tiers of hurdles at the top. After sir Richard had sent in his card, Mr. Kellerman appeared at the front door:

'I lament,' says he 'that I have not the pencil of Hogarth, for a more original figure never was seen. He was about six feet high, and of athletic make: on his head was a white night-cap, and his dress consisted of a long great coat, once green, and he had a sort of jockey waistcoat with three tiers of pockets. His manner was extremely polite and graceful, but my attention was chiefly absorbed by his singular physiognomy. His complexion was deeply sallow, and his eyes large, black and rolling. He conducted me into a very large parlour, with a window looking backward, and having locked the door, and put the key in his pocket, he desired me to be seated in one of two large arm-chairs covered with sheep skins. The room was a realization of the well-known picture of Teniers's Alchemist. The floor was covered with retorts, crucibles, alembics, jars, bottles in various

shapes, intermingled with old books piled upon each other, with a sufficient quantity of dust and cobwebs. Different shelves were filled in the same manner, and on one side stood his bed. In a corner, somewhat shaded from the light, I beheld two heads, white, with dark wigs on them; I entertained no doubt, therefore, that among other fancies he was engaged in re-making the brazen speaking head of Roger Bacon and Albertus. Having stated the reports which I had heard relative to his wonderful discoveries, I told him frankly that mine was a visit of curiosity, and stated that if what I had heard was matter of fact, the researches of the ancient chemists had been unjustly derided. He then gave me a history of his studies, mentioned some men whom I had happened to know in London, who he alleged had assured him that they had made gold. That having in consequence examined the works of the ancient alchemists, and discovered the key which they had studiously concealed from the multitude, he had pursued their system under the influence of new lights; and after suffering numerous disappointments, owing to the ambiguity with which they described their processes, he had at length happily succeeded; had made gold, and could make as much more as he pleased, even to the extent of paying off the national debt in the coin of the realm. When asked to produce some of it, "Not so," said he, "I will shew it to no one; I made lord Liverpool the offer, that if he would introduce me to the King, I would show it to his Majesty; but lord Liverpool insolently declined, on the ground that there was no precedent, and I am therefore determined, that the secret shall die with me. It is true that, in order to avenge myself of such contempt, I made a communication to the French Ambassador, prince Polignae, and offered to go to France, and transfer to the French government the entire advantages of the discovery; but, after deluding me and shuffling for some time, I found it necessary to treat him with the same contempt as the other. The world, sir, is in my hands and my power." With respect to the universal solvent, the attempt to get a sight of it succeeded no better than the former one to see the gold. Mr. Kellerman accounted for his having shut up his house and guarded the walls, by saying, that the governments of Europe had endeavoured to get possession of his secret; to prevent this he had burnt all his writings and placed spring guns at the windows; by means of his combustibles he could destroy a whole regiment of soldiers if sent against him. He then related that, as a further protection, he lived entirely in that room, and permitted no one to come into the house; while he had locked up every room, except that, with patent padlocks, and sealed the key holes.'

So much for our knight and the alchemist he has brought to light. For our own parts as little in these our days should we have expected to see a believer in the Philosopher's Stone with the fruits of his faith made manifest in his works, as in those days in which Smollett published his *Sir Launcelot Greaves*, we should have regarded a knight-errant as capable of being brought

upon the stage of romance with the requisite degree of probability : but insanity is unhappily of every age.

In this faith, the latest known eminent believer was, we fancy, Dr. Campbell, one of the most distinguished contributors to the *Biographia Britannica*, and whose works were in the sum total so abundant, that a gentleman into whose company he had fallen having expressed a desire to enrich his shelves with them, was the next day surprised at the sight of a cart loaded with them : so abundant and at the same time so successful, that by the proceeds of them he was enabled to build and himself to inhabit the only house that had so many as four windows in front in Queen's Square, Bloomsbury : but the poor modern's alchemy so far from enabling him to build houses, is fast dilapidating the one in which he has buried himself.

Kellerman's name sounds Germanish ; and at this day full as little should we have looked to see an alchemist in Germany as in England. But as there are north and south, so are there Germans and German's ; and though Germany in the northern part of it went, for some time, before us in chemistry, the south has not yet ceased to give abode to believers, whose faith is occupying itself in removing mountains of the ignoble, to replace them by mountains of the noble, metals ; but belief in such miracles, and devotion to absolutism, are well made to inhabit the same heads.

The last deceased and the new-born year, join in presenting us with three predicant tourists :—Mr. Carlile preaching atheism, Mr. Buckingham anti-Mrs. Companyism (for whether or no as regarding them as a company of old women, Mrs. Company is the style and title by which the natives of British India have been wont to designate their Viceroys over the same), these two, and our flesh-abjuring apostle, who while puffing out clouds of smoke and preaching himself down, with one side of his mouth, has thus been amusing and cheering us with the other. Of the Atheist we shall say no more : but of Mr. Buckingham and Sir Richard Phillips, we shall conclude with saying that we look forward with sincere hope to the continuance and success of their interesting circumambulations.

ART. XIII.—1. *Chansons Inédites de M. P. J. de Béranger.* Paris. Baydouin frères. 1828. 180.^f pp. 152.

2. *Procès faits aux Chansons de P.-J. de Béranger.* Paris. Baydouin frères. 1828. 320. pp. 281.

IF Louis XIV had defeated the armies of William, and placed the miserable James upon the throne of England by foreign force, a parallel would have been presented to the operation, which, principally through the exertions of the English people under the guidance of their existing leaders, concluded the last European war. What was the morality, the wisdom, or the honour of the proceeding, must be left—as it *will* be left—to the decision of the times when nations shall have arrived at the same knowledge of their true interests, that individuals have attained on the subject of their own. A great country, after years or centuries of predisposing influences, had broken out into one of those paroxysms, which have at sundry times distressed, and will distress again, the supporters of dominant abuses in our own. An irresistible power called for the melioration of the public tenement. The national lobster had grown too large for its shell, and burst with a convulsive crack the bonds that inclosed its nonage. The royal family chicaned—promised—kept their word as other kings have done—set off to join the foreign invader—were brought back—imprisoned—decapitated. Their conduct exhibited the same gross hypocrisy and incapacity for truth, which have at later periods been exemplified by the Desired, the Beloved, and the Adored,—and which may be traced in all the proceedings of all the European sovereigns, except in those fortunate countries where the royal purity is strongly guarded by the hedge of popular control. They played the first scene in that tragi-comedy, which, with the exceptions mentioned, has made the word of a king in all tongues a paraphrase for falsehood. But they were opposed to a different kind of force from what was found in Naples or the Peninsula; and they consequently failed, where the others lived on and triumphed. The friends of existing evils in England took the alarm, on the same principle that makes a slave-master in Jamaica tremble at liberty in St. Domingo. The only refuge was in a war; and to this the people of England were but too much inclined, from the training which the unjust contest with their colonies had bestowed. The American struggle had made freedom anti-English, and England anti-free. The game of blood began; and was follow-

ed by all that was uncivilized in theory and barbarous in practice. The domains of ignorance and prejudice sent each its *élite*; or if any were absent, it was because the Chinese were inept for war, and the Man in the Moon was inaccessible. The felons of Poland came with unwashed hands, to make Paris another Warsaw; and England, that only held their garments in the former deed, was to be art and part in this. The young republic dashed the assailants back, as heaven has willed that the defenders of the right shall often, though not always, repulse their enemies. Barbarians of all feature, in turns retreated before a nation of honest men in arms; and the world began to think that Providence had resolved itself into a committee of public safety, and justice was henceforth to be the arbitress of victory.

Whether in every point the injured party acted in the best way possible, is what to this hour admits of some dispute; but that the whole war against renovated France was a struggle for the preservation of profitable wrongs at home, is what none in the present age affect to doubt, who are not actively engaged in supporting the same interest still. The condemnation of the king was one of those subjects, on which many opinions will always be held by many men. It was supported by the direct example of England. Her existing institutions, avowedly superior to those of France, were all founded on the issue of a contest, of which a scene of this kind had wound up the first act; and if the precedent had not been confirmed within the memory of living men, it was only because the last Charles refused to wait for the experiment. Three leaves of the Book of Common Prayer wailed over the tyrant's fate; but profaner classics declared it to be a 'glorious act of substantial justice,' and the nation acquiesced in silence in the creed. The reasons deducible from the ordinary rules of retributive infliction were also of imposing magnitude. If there was any just power of punishing an individual for offences against the community, it was surely applicable to that individual who had the greatest reason to be contented with his lot. Either men must set to their hands to being the born thralls of a proprietor of human cattle; or they must maintain that while there were obligations and penalties on one side, there must also be some upon the other. If a private soldier could be shot for deserting to the enemy after the engagement of an oath, a king could be beheaded when taken in the same fact. If this was not written right, it was acknowledged right; for England—the *magna virum mater*—had dashed the responsibility of kings into the common law of nations, and left it sticking there for ever. Such were

the arguments of those who tried their king as a deserter, because he *was* a deserter,—and crushed the porcelain clay of human kind, in the same mill that grinds plebeian dust when it falls into foul offence against the clods that are its fellows. Their opponents answered them partly by appeals to the divine right of wrong, and partly by the assertion of the *impolicy* of the proceeding. It was to harden the hearts of kings, and the streams of human felicity were to be shut up in their source. It was a horror and a solecism; equalled only when the first noble was executed for the murder of his vassal. Good blood throughout Europe was to run *ahmuk* against the offenders, and the plebeian puddle was to find out its mistake in the dust where it was bred. Plebeian generals and citizen *pièces de quatre* refuted this reasoning; but still the great argument upon the question remained untouched. When a live god in Thibet has been fattened in a coop from his youth up, it would be unreasonable to expect from him either mental or corporeal energy; it would be hard to demand of him much moral virtue; and it would be downright cruelty to put him to death for his deficiency in either. It is the previous estate and training of despotic monarchs, that removes them from fair liability to capital punishment; on the same principles that are acknowledged in the case of those who are physically deficient. Let any reasonable man inquire of himself, by what processes he has arrived at any knowledge, or at any virtue,—how much of his morality he owes to the hourly apprehension of consequences,—how much of his prudence to collision with men of like powers with himself,—and how much of his reverence for truth to the dread of the contempt of his equals,—and then let him determine, what portion of all these would have appertained to him, if he had been surrounded from his infancy by insinuations that his will made law, his opinions wisdom, and his word facts. The fault is in the institution of live gods; the vice is in the system, which in attempting to raise one unfortunate above the level of humanity, sinks him beneath it. If men will have such idols, they ought to take the consequences along with them; but not make a holocaust of a poor puppet who after all has flesh and blood, for being what in a common man would be a liar, a cut-throat, or a knave.

A new phase developed itself in the contest. The Newton of war appeared; and overturned the established theories, by placing in the centre what had always been looked for in the circumference. The invaded became the invaders, by the same right that the baffled highwayman is followed into his lair. Glory and success nailed themselves to the republican standards; and for

once arms were pious, and invasion virtue. It was the golden age of war; the sunny spot in the annals of the destroying art, on which a philanthropic soldier may look with complacency and joy. Such victories could not last. Even the corruptionists of England, who neither paid nor fought but with the purses and blood of others, retired from the field; and the populace of London, honest though in bondage, decreed an ovation to the representative of national independence, in the person of an enemy.

But another phase was at hand. The unequalled warrior who had guided the steam-vessel of the republic with such glory on its course, *found out that his first duty was to extinguish the volcano that was within*. The contest was renewed, upon that ground which is always in the power of the basest and the worst,—the refusal to fulfil the stipulations of the preceding treaty. Long the proud vessel kept her way; but each effort expended something of the powers of the enfeebled fires that impelled. A weary war in Spain—as unjust as those which England wages annually in the East—exhausted the blood of the community, for no object that came home to the hearth of the peasant and the bosom of the citizen. The conscript, that used to be a hero, sank into a victim. A new war arose, not unjust in itself, for, like the English one, it sprang out of the refusal to fulfil the stipulations of a treaty. The leader whom fortune had so often favoured, continued, like a mad gamester, to risk his winnings for the chance of doubling their amount. The blow came at last, as come it must; and the proudest army the world ever saw,—the relics of a thousand victories, won for civilized man from the barbarian and the slave,—fell, not by its enemies, but by the elements; as if nature alone was worthy to be its conqueror. Still the great nation rallied; and the grandeur of its sacrifices composed its title to the name. Once and oftener, the tide was rolled back; but numbers began to assert their power, and fortune to shew her attachment to the new. A military defection, unparalleled in the history of armies, lost a great battle; and step by step the lion retired to his hold, followed by ‘the sons of little men,’ who sprouted into demigods on the strength of their respective fractions in the fray. Even yet, if vain man could have been wise, the mischief might have been repaired. One signal of returning to the rock whence he was hewn, would have put all France into the *pas de charge*, and left his enemies no results but the infamy of the breaches of military faith which marked their hour of success,—breaches which still rankle in the heart of the professional soldier all over the earth, and prove that in the field as in the cabinet, an

incapacity for truth is the infirmity of kings. But the signal never came; and the fate of civilized Europe was left to a diminished army, and unequal war. The same infatuation which prevented an earlier appeal to the principles of popular resistance, put the capital into the possession of the enemy. The treachery of chiefs,—for the poor soldier always dies honest,—removed the latest hope. And then appeared the last symbol of a nation's fall;—an over-fed old man, the representative of a race whom every village in France had declared to be Pretenders by the blood of twenty of its children, hobbled in to the music of foreign drums, and sat down with the gracious airs of the husband in the comedy, *trop heureux d'être pris par ordre du médecin*. The game of war was closed. It was held to be established for ever, that legitimacy meant foreign choice; and the magnanimous electors withdrew to enjoy the gaze of the nation that had paid for their supremacy. The joy of the English people was in proportion to their fears. Men lost their wits, and women their modesty; and scanty was the remnant that in those days of shame refused to bow to the Baals of the hour. But the end was not yet. In a little year, was announced *the people's king*, and flew back to his throne without a sword being drawn for the foreign appointee. The *génie saint des camps étrangers* was again invoked. All Europe was in arms. The English minister boasted that a million and a half of soldiers were in motion, to replace the French Stuart and declare by proxy his own sovereign a usurper. The English oligarchy fought *pro aris et focis*; for there wanted but a failure, to crumble their power to the dust. The friends of liberty and national rights were but half alert upon their post. They declared the *danger* of the contest, but shrunk from the unpopularity of denouncing its injustice; and the desperation of their repentance served only to illustrate the magnitude of their mistake. Mean time the decision by arms drew on. The legitimate sovereign—for it would be treason to the House of Brunswick to affect to doubt his title—moved rapidly upon the nearest of his enemies, at the head of all in France that was accessible to the feeling of national honour or disgrace. His army fought, as soldiers always fight, who join an intense feeling of the justice of their cause, to attachment to their chief. The odds of combat might have been said to be balanced,—if it could have been forgotten that one army was but of a hundred days, and had been exposed to all the disorganization which the genius of adversaries could invent. To make the party equal, it should be supposed that officers on both sides had been going over to the enemy, and leaving their names as

synonymes for desertion under fire. Of two grand detachments from the opposing forces, one rejoined its main body in the moment of closest struggle, and the other did not. What would have come to pass if this had not happened,—or if the converse had happened,—is what the constitution of nature has forbidden to explore. As it was, there was no military inference derivable from the result, except that the defensive power of the infantry weapon had been generally rated too low. The event, however, determined that Ferdinand should reign in Spain, and Miguel in Portugal; and *Louis deux fois neuf* returned to complete the espousals so auspiciously begun. What else there was, it is useless for an Englishman to remember, as for an Algerine to dwell on the misfortune of his birth-place. What is known, needs not be again recorded; and what is recorded as it is, can never cease to be known too well.

But the optimism that is in the world prevailed. The polype of human happiness, though cut in pieces and turned inside out, still lives, and applies itself to multiply and grow. Men cannot despond for ever; the machinery of hope goes on, though Pompey lost Pharsalia, and perished basely on a foreign strand. Of two courses an intrusive government must always take one. It must encounter the certainty of being turned out on the first opportunity; or it must come down to the national demand, and submit, with what grace it may, to be the dispenser of the public will. The probability of the latter consummation must be in proportion to its weakness; and its weakness, as in other cases, will be indicated by its fears. A ballad-maker prosecuted,—is a clear proof that France will be a republic with the Bourbons in the Tuileries. Stocks ought to rise upon it; and the Stock Exchange has a right to know the whole of circumstances so important to its interests. An epic poem, might have made three-per-cents look up at the close of a dull day,—a tragedy, might have raised them a shade since three o'clock,—but a ballad, a book of ballads, is an *événement majeur*,—it is of the *intérêts sensibles et puissans*. Was it a good ballad, or a bad ballad? Was it to the tune of *Te souviens-tu?* or, *Mon père m'a donné un mari, mon Dieu, quel homme!* Had it a burden like *Lilli burlero*, or had it none? Was it in 'all eights,' or in 'particular measure'? These are points which it concerns the English people to know; and it is fortunate when a Review can make itself of such substantial use, as by explaining them.

The first of the redoubtable ballads which shook the frame of monarchy in France, is "*Le Sacre de Charles le Simple*;" whose story appears to be, that

'Charles III, dit le Simple, l'un des successeurs de Charlemagne, fut d'abord évincé du trône par Eudes, comte de Paris. Il se réfugia en Angleterre, puis en Allemagne. Mais, à la mort d'Eudes (en 898), les seigneurs et les évêques français s'étant rattachés à Charles, lui rendirent la couronne, qu'il perdit enfin, lorsque trahi par Hébert, comte de Vermandois, il fut emprisonné à Péronne, où il mourut en 924.'

On which piece of history the dangerous ballad-maker sings as follows :—

AIR : Du beau Tristan (de Beauplan).

Français, que Rheims a réunis,*
Criez : Montjoie et Saint-Denis !
On a refait la sainte ampoule,
Et, comme au temps de nos aïeux,
Des passereaux lâchés en foule
Dans l'église volent joyeux.
D'un joug brisé ces vains présages
Font sourire sa majesté.

Le peuple s'écrie : Oiseaux, plus que nous soyez sages,
Gardez bien, gardez bien votre liberté (*bis*).

Puisqu'aux vieux us on rend leurs droits,
Moi, je remonte à Charles trois.
Ce successeur de Charlemagne
De Simple mérita le nom.

*Frenchmen ! in Rheims assemble all,
On Montjoy and St. Dennis call—
Renewed the holy phial see—
Our fathers' days again are come ;
Sparrows in numerous flocks set free
Flutter about the sacred dome ;
The monarch's brow with pleasure beams,
For broken bonds here imaged be—

The people cry : Poor birds ! dream not our foolish dreams—
Preserve—preserve your liberty.

Here are all ancient rights preferr'd,
And I descend from Charles the Third—
Who followed Charlemagne, and well
Deserved "the Simple" name he bore—

Il avait couru l'Allemagne,
 Sans illustrer son vieux pennon.
 Pourtant, à son sacre on se presse ;
 Oiseaux et flatteurs ont chanté.
 Le peuple s'écrie : Oiseaux, point de folle allégresse !
 Gardez bien, gardez bien votre liberté (*bis*).

Chamarré de vieux oripeaux,
 Ce roi, grand avaleur d'impôts,
 Marche entouré de ses fidèles,
 Qui tous, en des temps moins heureux,
 Ont suivi les drapeaux rebelles
 D'un usurpateur généreux.
 Un milliard les met en haleine ;
 C'est peu pour la fidélité.
 Le peuple s'écrie : Oiseaux, nous payons notre chaîne.
 Gardez bien, gardez bien votre liberté (*bis*).

Aux pieds de prélats cousus d'or
 Charles dit son *confiteor*.

Upon his flag no light-stream fell,
 When Germany he travell'd o'er.—
 When he was crown'd, a noisy crowd
 Of birds and flatterers sang with gle
 The people cry—Ye birds ! O sing not now so loud—
 Preserve—preserve your liberty.

Bedizen'd with their fripperies, made
 From heavy imposts—the parade
 Of King and Courtiers marches by—
 Courtiers—who all, not long ago,
 'Neath rebel standards floating high,
 Bow'd to a grand usurper, low ;
 But millions are not shower'd in vain—
 And faith well recompens'd should be ;
 The people cry—Poor birds ! we dearly pay our chain,
 Preserve—preserve your liberty.

Now, gold-laced prelates bent before,
 Charles utters his *confiteor*,

On l'habille, on le baise, on l'huile,
 Puis, au bruit des hymnes sacrés,
 Il met la main sur l'Évangile.
 Son confesseur lui dit : " Jurez :
 " Rome, que l'article concerne,
 " Relève d'un serment prêté."
 Le peuple s'écrie : Oiseaux, voilà comme on gouverne !
 Gardez bien, gardez bien votre liberté (*bis*).

De Charlemagne, en vrai luron,
 Dès qu'il a mis le ceinturon,
 Charles s'étend sur la poussière.
 Roi ! crie un soldat, levez-vous !
 " Non, dit l'évêque ; et, par Saint-Pierre,
 " Je te couronne ; enrichis-nous.
 " Ce qui vient de Dieu vient des prêtres,
 " Vive la légitimité !"
 Le peuple s'écrie : Oiseaux, notre maître a des maîtres.
 Gardez bien, gardez bien votre liberté, (*bis*).

They clothe him—kiss him—oil him—and
 Midst hymns divine that fill the air,
 He on the bible puts his hand !
 And his confessor bids him—" Swear !
 For Rome—whom such affairs concern—
 Has pardons for such perjury."
 The people cry—Poor birds ! thus government we learn—
 Preserve—preserve your liberty.

So—aping Charlemagne—when placed
 The sword-belt round his royal waist,
 Upon the dust he flings him down,
 King ! says a soldier—rouse thee, King !
 " No !" says the bishop—" thee I crown—
 Now wealth into our coffers fling.
 What priests command, that God records,
 Long live, long-live, legit'macy !"
 The people cry—Our lord is ruled by other lords—
 Poor birds ! preserve your liberty.

Oiseaux, ce roi miraculeux
 Va guérir tous les scrofuleux.
 Fuyez, vous qui de son cortège
 Dissipez seul l'ennui mortel ;
 Vous pourriez faire un sacrilège
 En voltigeant sur cet autel.
 Des bourreaux sont les sentinelles
 Que pose ici la piété.

Le peuple s'écrie : Oiseaux, nous envions vos ailes.

Gardez bien, gardez bien votre liberté (*bis*),

Gardez bien votre liberté.

—p. 45.

Turlupin—who is Merry Andrew—is understood to have given great offence :—

—Du roi viens voir la personne.*

—Non, répondait-il, non pas.

Otera-t-il sa couronne,

Quand je mettrai chapeau bas ?

Ma foi, s'il faut crier vive,

Ah !

Vive l'am^l qui cuit mon pain !

Que l'on suive, suive, suive

L'exemple de Turlupin.

—p. 63.

The King miraculous, poor birds !
 Will cure all scrofulas with words ;
 But you, the merriest things of all,
 Had better speedily be gone ;
 Some sacrilege might chance to fall
 From fluttering near this altar-throne ;
 For piety all-meekly brings
 Murderers her sentinels to be.—

The people cry—Poor birds ! we envy ye your wings—

Preserve—preserve your liberty.

TURLUPIN.

*Come let us go "le Roi" to see—

Not I—he said—I wont do that ;

Will he take off his crown to me,

When I to him take off my hat ?

If I for somebody must cry,

Then, Here's for him that makes my bread,

And men will answer—I—I—I—

Say just what Merryman has said !

But the sin of sins is the ballad called "*Les Infiniment Petits, ou La Gêrontocratie.*"

AIR: Ainsi jadis un grand prophète.

J'ai foi dans la sorcellerie.
Or un grand soreier l'autre soir,
Me fit voir de notre patrie
Tout l'avenir dans un miroir,
Quelle image désespérante !
Je vois Paris et ses faubourgs ;
Nous sommes en dix-neuf cent trente
Et les barbons règnent toujours.

Un peuple de nains nous remplacee.
Nos petits-fils sont si petits,
Qu'avec peine dans eette glace,
Sous leurs toits je les vois blottis.
La France est l'ombre du fantôme
De la France de mes beaux jours.
Ce n'est-qu'un tout petit royaume ;
Mais les barbons règnent toujours.

THE INFINITELY LITTLE ; OR THE GRAYBEARDS.

'I don't think witchcraft quite so bad,
For t'other day a witch drew nigh,
And I a blessed vision had
Of time's unveil'd futurity :
O melancholy sight to see !
Does Paris yet its name maintain ?
'Tis nineteen hundred thirty-three,
And still the graybeard ' barbons' reign.

Our children are a dwarfish race,
Our little ones so little are,
Beneath their roof I scarce can trace
Their little selves—they seem so far.
And France the shadowy phantom is
Of France before her mournful wane—
A very little kingdom this—
But still the graybeard ' barbons' reign.

Combien d'imperceptibles êtres !
 De petits jésuites bilieux !
 De milliers d'autres petits prêtres
 Qui portent de petits bons dieux !
 Béni par eux, tout dégénère ;
 Par eux la plus vieille des cours
 N'est plus qu'un petit séminaire ;
 Mais les barbons règnent toujours.

Tout est petit, palais, usines,
 Sciences, commerce, beaux-arts.
 De bonnes petites famines
 Désolent de petits remparts.
 Sur la frontière mal fermée,
 Marche, au bruit de petits tambours,
 Une pauvre petite armée ;
 Mais les barbons règnent toujours.

Enfin le miroir prophétique,
 Complétant ce triste avenir,

What little things, scarce visible !
 What little Jesuits, full of bile !
 Millions of little priests who tell
 Their little rosaries the while !
 Beneath their blessing all decays,
 A little college for their train,
 Usurps the court of ancient days—
 But still the graybeard 'barbons' reign.

'Tis petty all—in palace—shop—
 Art—science—commerce—petty, all :
 And pretty little famines stop
 Supplies to little towns—which fall—
 And led by little drums—a host
 Of little soldiers seek in vain,
 To guard the feeble frontier coast—
 But still the graybeard 'barbons' reign.

In the prophetic mirror drawn,
 At last a fearful tale was told—

Me montre un géant hérétique,
 Qu'un monde à peine à contenir.
 Du peuple pygmée il s'approche,
 Et, bravant, de petits discours,
 Met le royaume dans sa poche ;
 Mais les barbons règnent toujours.

p. 77

Another piece which gave mortal offence, was "*La Mort du Diable*;" in which the Jesuits, under the title of their founder Ignatius Loyola, are represented as succeeding to the power of the prince of this world, on the demise of the last-mentioned potentate. The friends of the parties of course cry treason and blasphemy ; but those who hold no particular relationship with either, see in it nothing but a proof of the small chance an encroaching priesthood has of carrying its point, against the feeling of even a Catholic community.

AIR : Du Villain, ou de Ninon chez madame de Sévigné.

Du miracle que je retrace*
 Dans ce récit des plus succincts,
 Rendez gloire au grand saint Ignace,
 Patron de tous nos petits saints.
 Par un tour, qui serait infâme,
 Si les saints pouvaient avoir tort,
 Au diable il a fait rendre l'âme. (*bis*).
 Le diable est mort, le diable est mort. (*ter*).

A giant heretic was shown,
 Whom all the world could scarcely hold—
 He o'er the pigmy people striding,
 Despis'd their petty clamorous strain,
 The kingdom in his pocket hiding—
 But still the graybeard 'barbons' reign.

THE DEVIL'S DEATH.

* I sing to day a lay of lays,
 A glorious miracle you'll see,
 Give the great saint Ignatius praise,
 Of little saints the glory he.
 A dirty trick—if saints can trick,
 And if the truth may all be said,
 Has done the business for Old Nick ;
 The Devil's dead—the Devil's dead !

Satan, l'ayant surpris à table,
 Lui dit : Trinquons, ou sois honni.
 L'autre accepte, mais verse au diable
 Dans son vin un poison bënt.
 Satan boit, et, pris de colique,
 Il jure, il grimace, il se tord ;
 Il crève comme un hérétique.
 Le diable est mort, le diable est mort. (*ter*).

Il est mort ! disent tous les moines,
 On n'achètera plus d'*agnus*.
 Il est mort ! disent les chanoines ;
 On ne paiera plus d'*oremus*.
 Au conclave on se désespère,
 Adieu, puissance et coffre-fort !
 Nous avons perdu notre père.
 Le diable est mort, le diable est mort. (*ter*).

L'amour sert bien moins que la crainte ;
 Elle nous comblait de ses dons.
 L'intolérance est presque éteinte ;
 Qui rallumera ses brandons ?

Old Nick went out one day to dinc,
 And pledg'd the saint to drink his health,
 Aye ! said the saint—and in the wine
 Some holy poison dropp'd by stealth ;
 Gripes seiz'd the devil—cruel-sick—
 He swears—he storms—and hangs his head
 Then bursts, as bursts a heretic—
 The Devil's dead—the Devil's dead !

Alas ! he's dead—the friars said,
 The Devil an Agnus shall we sell ;
 Alas ! the canons cried—he's dead—
 Not one *oremus* shall we tell.
 The conclave is in deep despair,
 Power—and the iron chest, are fled—
 O we have lost our father dear,
 The Devil's dead—the Devil's dead !

A notre joug si l'homme échappe,
 La vérité luira d'abord :
 Dieu sera plus grand que le pape.
 Le diable est mort, le diable est mort. (*ter*).

Ignace accourt ; Que l'on me donne,
 Leur dit-il, sa place et ses droits.
 Il n'épouvantait plus personne ;
 Je ferai trembler jusqu'aux rois.
 Vols, massacres, guerres ou pestes,
 M'enrichiront du sud au nord.
 Dieu ne vivra que de mès restes.
 Le diable est mort, le diable est mort. (*ter*).

Tous de s'écrier : Ah ! brave homme !
 Nous te bénissons dans ton fiel.
 Soudain son ordre, appui de Rome,
 Voit sa robe effrayer le ciel.

* Love is not half so strong as fear,
 For fear was constant with her gifts.
 Intolerance is fading here,
 Who now her blazing torch uplifts ?
 If man from us should once be free,
 What light may beam upon his head ;
 God greater than the Pope shall be—
 The Devil's dead—the Devil's dead !

Ignatius came—" Let me but take
 " His place—his right—and see ; in brief—
 " He has made men for ages quake,
 " I'll make Kings tremble like a leaf."
 " With plagues, thefts, massacres, I'll ban
 " Both north and south—where'er I tread ;
 " Leave ruins both for God and man—
 " The Devil's dead—the Devil's dead !

" Come, blessed one," they uttered, " come,"
 " We hallow thy most saintly gall"—
 And now his Order—sent from Rome,
 O'ershadows, darkens, curses all.

Un chœur d'anges, l'âme contrite,
 Dit : des humains plaignons le sort :
 De l'enfer saint Ignace hérite.
 Le diable est mort, le diable est mort. (*ter*).

For these poetical licences, the author was punished with a fine of 10,000 francs (400*l.*) and nine months imprisonment. The ballads are the numerator, the punishment the denominator, and the '*petit, petit*' quotient is the chance the Bourbons have of resisting the will of France.

Le Convoi de David—not the husband of Uriah's wife, but David the painter,—the *Couplets sur la Journée de Waterloo*—*Les deux Grenadiers*—*Le Prisonnier de Guerre*—*Les Souvenirs du Peuple*—and *Le Tombeau de Manuel*, are full of popular images, presenting a lively representation of what would have been the condition of England if Louis had conquered William; and are executed with sufficient power to make it credible that such compositions would not have been acceptable to the restored tenants of St. James's. *La Comète de 1832*, is Horace with a mixture of Lord Byron; and this article cannot be concluded better than by giving it entire.

AIR : A soixante ans il ne faut pas remettre.

Dieu contre nous envoie une comète ;
 A ce grand choc nous n'échapperons pas.
 Je sens déjà crouler notre planète ;
 L'Observatoire y perdra ses compas. (*bis*)

I heard a choir of Angels tell
 Their sympathies for man—they said,
 " Ignatius is the heir of hell,
 " The Devil's dead—the Devil's dead !"

THE COMET OF 1832.

A comet wing'd by heaven is hurl'd to meet
 Our world—too surely 'twill destruction bring—
 I feel our planet tremble at my feet,
 I see the lofty light-house tottering ;

Avec la table, adieu tous les convives !
 Pour peu de gens le banquet fut joyeux. (*bis*)
 Vite, à confesse, allez, âmes craintives.
 Finissons-en : le monde est assez vieux,
 Le monde est assez vieux. (*bis*)

Oui, pauvre globe, égaré dans l'espace,
 Embrouille enfin tes nuits avec tes jours ;
 Et, cerf-volant dont la ficelle casse,
 Tourne en tombant, tourne et tombe toujours.
 Va, franchissant des routes qu'on ignore,
 Contre un soleil te briser dans les cieux. «
 Tu l'éteindrais ; que de soleils encore !
 Finissons-en : le monde est assez vieux.

N'est-on pas las d'ambitions vulgaires ?
 De sots parés de pompeux sobriquets ?
 D'abus, d'erreurs, de rapines, de guerres ?
 De laquais rois, de peuples de laquais ?
 N'est-on pas las de tous nos dieux de plâtre ?
 Vers l'avenir las de tourner les yeux ?

The table disappears—the guests are gone—
 'Twas a sad festival when all is told ;
 On—to confession—trembling spirits—on—
 Enough—enough—the world is all too old.

Poor globe—thro' boundless space a wandering thing,
 Nights—days—confounded—erring without will ;
 A flying kite—but with a broken string,
 Turning and sinking—turning, sinking still ;
 Rush thro' untravell'd ways—until thou dash
 Against some sun, and breaking, dost behold
 A thousand suns out-bursting from the flash—
 Enough—enough—the world is all too old.

Vulgar and stale, our poor ambitions are !
 Are we not tir'd of fools and foolish things,
 Errors, abuses, desolation, war,
 Of nations lacquies, and of lacquey kings ?
 Tir'd of the future's disappointing dreams—
 Of plaster-idols shap'd in meanest mould—

Ah ! c'en est trop pour si petit théâtre :
 Finissons en : le monde est assez vieux.

Les jeunes gens me disent : " Tout chemine.
 " A petit bruit chacun lime ses fers.
 " La presse éclaire, et le gaz illumine ;
 " Et la vapeur vole aplanir les mers.
 " Vingt ans au plus, bon homme, attends encore,
 " L'œuf éclôra sous un rayon des cieux."
 Trente ans, amis, j'ai cru le voir éclore.
 Finissons-en : le monde est assez vieux.

Bien autrement je parlais, quand la vie
 Gonflait mon cœur et de joie et d'amour.
 Terre, disais-je, ah ! jamais ne dévie
 Du cercle heureux où Dieu sema le jour.
 Mais je vieillis, la beauté me rejette ;
 Ma voix s'éteint ; plus de concerts joyeux.
 Arrive donc, implacable comète ;
 Finissons-en : le monde est assez vieux.

How mean—how cramp'd life's scene of being seems ;
 Enough—enough—the world is all too old.

I hear from youth—" Man's prospect daily brightens,
 " Each files his fetters surely—silently—
 " The press illumines, and the gas enlightens ;
 " The glorious steam-boat speeds across the sea.
 " Another twenty years—and then—and then—
 " A sun-beam shall the lovely germ unfold."
 Oh ! I have waited thirty years in vain—
 Enough—enough—the world is all too old.

Far other were my thoughts, when boyhood gay
 Swell'd all my soul with love, and joy, and mirth ;
 Then cried I—" Never wander from the way
 Of thy sweet orbit—beauty-giving earth !"
 Now I am grey with years—and beauties frown—
 My songs are mute, my heart is dull and cold ;
 Comet implacable—then speed thee down,
 Let's end the matter—for the world is old.

ART. XIV.—*The Times*. January 19, 1829.

ON a former occasion [No. III] a somewhat general view was given of the state of the Newspaper Press in this country, one of those extraordinary combinations by which capital activity, and intellect, have produced wonderful results. The daily press is undoubtedly one of the great powers of society, a power constantly interfering with, and controlling every other. It has an omnipresent vision—there is nothing too high for its grasp—nothing too minute for its attention. It occupies itself with all public affairs—and with all private concerns as soon as they come within the circle of public interest; and perhaps of all the grand machinery of social existence, it is that which is most constantly improving—and presenting from year to year new evidence of what wealth and industry and mind can do when coalescing for any important object. The purport of this article, however, is not to discuss the benefits, or to enlarge on the wonders wrought by the newspapers of England, but to give information as to the manner in which this important engine is made to move, and to communicate in an unadorned shape, those details which cannot but be interesting even if regarded as the mere statistics of the subject.

The number of newspapers now published in the United Kingdom is three hundred and eight, of which eighty-nine appear in Scotland and Ireland. In London alone there are fifty-five, of which thirteen issue daily; viz. *The Times*, *Morning Herald*, *Morning Chronicle*, *Morning Advertiser*, *Morning Journal*, *Morning Post* and *Public Ledger*, all Morning papers; and the *Globe*, *Courier*, *Sun*, *British Traveller*, *Standard*, and *Star*, Evening papers. The quantity of copies daily put into circulation by these establishments is, including their occasional supplements, about forty thousand, and the amount of profit derived by the revenue from their diurnal publication is 722*l.* 16*s.* 8*d.*; of this sum 533*l.* 6*s.* 8*d.* is paid for stamps, being at the rate of 13*l.* 6*s.* 8*d.* per thousand stamps at 4*d.* each, with a discount of twenty per cent, allowed by the government in lieu of the former deductions, made upon unsold papers, &c., a penalty of 100*l.* being now incurred by the printing of even a single copy upon unstamped paper; 32*l.* is paid by the manufacturer for the Excise duty, the sum being calculated at about 8*s.* per ream upon the large and small paper, used by the different offices; and 157*l.* 10*s.* for advertisements, taking the number which appear in the thirteen daily papers; together at nine hundred.

Each of these advertisements pays a duty of 3s. 6d. to the government; and, as the present estimate total is calculated from the advertising contents of the several papers, in one day of the present month, which is not the advertising season, it would be fair perhaps, to take the average at one-fifth more, thus making the total amount paid to the revenue daily by the London morning and evening papers, about 750*l*.

Besides the London daily newspapers, there are several which are published twice and thrice a week; these are the London Gazette, the Record, the St. James's Chronicle (a paper connected with the establishment of the Standard), the Evening Mail, which is published at the office of the Times; the London Packet, and the English Chronicle, which is printed by the proprietors of the Morning Herald.

As to the respective numbers issued by each of the daily papers, it is not easy to be precise. The Times, according to a paragraph which lately appeared in that paper,* distributes nearly ten thousand copies daily, and the Herald has probably a daily

* We have been requested by the gentlemen interested, to publish the following statement:—

Upwards of 53,000*l*. is annually contributed to the revenue by one individual—

Mr. Clement, the proprietor of the Morning Chronicle, who possesses the largest newspaper establishment in London, paid last year between January 1st and December 31st. 1828, for stamp and excise duties for that journal and his three weekly papers, no less than 53,500*l*. The number of fourpenny stamps (which is the red mark at the corner of every paper) was 2,735,865. Mr. Clement's consumption being more than one-tenth part of the stamps used by all the newspapers printed in England, of which there are printed in London 49, and in the country 151, together with daily and weekly journals 200, consuming according to the parliamentary return about 25,000,000 of fourpenny stamps. The quantity of paper used was 5,471 reams, each ream weighed 40*lb*; the excise duty on which was 10s. the ream.

The number of advertisements inserted in Mr. Clement's papers in the year was 29,633; the duty upon each advertisement being 3s. 6d. Thus the sums paid to the revenue by Mr. Clement's newspaper concern in the past year of 1828, were—

	£.	s.	d.
2,735,868 News Stamps.....	45,597	15	0
Duty on 29,638 Advertisements at 3s. 6d.	5,185	15	6
Excise on 5,471 Reams of Paper at 10s.	2,735	10	0
Total	£53,519	0	6

We had never intended again to obtrude what may be called our own private concerns on public attention, but the insertion of the previous paragraph at the request of Mr. Clement, makes it almost a sort of duty to ourselves to take the opportunity of placing a counter-statement before our readers. Mr. Clement is the proprietor of four newspapers, and the total amount of his contributions on the four is 53,519*l*. 0s. 6d. We will

circulation of not less than eight thousand, whilst the Morning Chronicle, according to the statement which has been made by its proprietor, may be supposed to issue something more than four thousand daily, a small circulation certainly as to mere number when compared with the Times or the Herald, but yet sufficiently large to enable the Chronicle to stand its ground well. The circulation of the Morning Advertiser is confined chiefly to houses of public entertainments, the conductors of which have a direct interest in encouraging it, as its profits go to support an excellent institution for the education of a great number of the children of decayed licensed victuallers, and also we believe for the support of destitute widows. The Public Ledger is confined almost exclusively to mercantile men. The Morning Journal, which was until lately known as the New Times, has had to struggle with many vicissitudes. It was originally started by a company of auctioneers and others as "The Day," and it had at one time under that title a tolerably extensive, but never a very profitable circulation. When Dr. Stoddart, the former editor of the Times, seceded from that establishment and joined the proprietors of "The Day," the title was changed to that of "The Day and New Times," and ere long it was known only as "The New Times," under which title it fluctuated considerably in number and in the extent of its advertisements, without however, we believe, ever yielding an average profit to its owners. It has been recently purchased by parties who are favourable to ultra Tory politics. The Morning Post is little encumbered with expenses—its readers are almost wholly among what is termed the Fashionable World, and being relieved from the heavy expenses of obtaining news reports which attach to other papers it undoubtedly derives great profit from the simple source of advertisements. It is well known to those who are connected with the press, that advertisements are the last things which come to, and the last which leave, a newspaper. A paper may

shortly oppose to this the contribution to the revenue of the Times alone, and will adopt the method of calculation used by Mr. Clement.

Amount of the duties paid by the Times alone :—

	£.	s.	d.
News Stamps 3,046,500	48,516	13	4
Duty on 92,969 Advertisements at 3s. 6d.	16,269	11	6
Excise on 6,093 Reams of Paper	3,351	3	0
Total	£.68,137	7	10

leaving an excess in favour of the Times alone, over the four papers published by Mr. Clement, of 14,618*l.* 7*s.* 4*d.* We will not do so invidious a thing, as point out the enormous excess of contribution paid by the Times over any one of the four journals alluded to.—*Times, Friday January 9th.*

rise considerably in the extent and character of its circulation, and yet for a year or two there may be no material increase in the value of its advertisements; and, on the other hand, when it has once acquired a good advertizing name, it may fall rapidly in number, and decline still more rapidly in character, without a corresponding diminution of profit from its advertizing columns. Many speculations have been ventured upon as to the value of the different morning newspapers as mere trading concerns, or for the investment of capital, with a view to the receipt of good interest. In estimating the value of a newspaper to shareholders, not only the actual amount of dividend is to be considered, but also the probable permanence of such dividend as connected with the character and mode of management of the paper. It may happen that a newspaper will, during a time of excitement, so apply an extra expenditure as to produce an adequate return for the time, but that with a diminution of the excitement there may be a more than corresponding diminution of returns taken with reference to the decreased expenditure. The best property in newspapers is that where the talent of the political writers, and the general care and good taste of the managers and selectors, have secured the approbation of discerning readers; because such papers will necessarily rise in times of excitement without any greatly increased expense, whilst in a dearth of news they will sustain less injury than other papers, which are ready to supply every new craving of popular curiosity. The Times has a high reputation for the great sagacity with which it seizes on questions during the period in which they most particularly occupy the public mind. Broad as this sheet was, it seems that it is to be still broader. The Globe of January 19th says:—"In consequence of the act of parliament requiring an extra stamp for every supplemental sheet of a newspaper, a mode of giving the required additional matter without incurring a further stamp duty has just been adopted by the Times newspaper. Instead of giving a supplementary sheet, the Times this day is printed upon one entire sheet of paper, measuring four feet in length, and three in breadth, and containing forty-three columns of matter, of which rather more than thirty are filled with advertisements, being considerably upwards of ninety thousand words. There are fifteen columns of reports and news of different kinds printed in small type, and containing more than forty-five thousand words, and about three columns in the larger type, containing more than six thousand words—so that there are nearly one hundred and fifty thousand words in the paper. This quantity of matter would form considerably more than a thick octavo volume of any of the modern works as they are now

printed. Indeed on calculating the quantity of one of the most recent, and by no means the least closely printed, we find that the contents of the *Times* of, this day, if printed in the same manner, would exceed by eighty pages the contents of the volume which we have examined. If by the side of this colossal paper we were to place one of the earliest numbers printed under the same title, the contrast would be very curious. On referring to one of the earliest newspapers printed in this country, we find its contents to be equal to less than one hundredth part of the *Times* of this day. Considering the shortness of the time which must have elapsed between the commencement and the termination of the labours of getting up such a sheet, the number of hands employed in every department can have fallen little short of one hundred. The lovers of quantity can, of course, find no fault with this new arrangement of the *Times* newspaper, but there may be some who will dread the task of getting through an octavo volume at their breakfast-table. To persons who like to read all that a newspaper contains before they set about the business of the day, the task of swallowing little less than one hundred and fifty thousand words with their rolls and coffee—the feat of getting through the forty-eight columns of the *Times*, with a due regard to the importance of its leading articles—its news, foreign and domestic—its reports—the announcement of sales by auction of bankers' estates and seats in parliament, of roan cobs and cabriolets—the infinite sundries of wants and wanted—and last, not least, of births, deaths, and marriages—such a feat as this will exceed the wonders of the prize ring or the phenomena of the turf, and satisfy the cravings of the most insatiable *Helluo-librorum*. How the coffee-house keepers, and other heads of places of public resort and entertainment will relish the plan, we know not. We think we see the intellectual artisan, in his spare half hour, waiting till 'the other gentleman has done with the paper,' casting at him glances, half angry, half imploring. Every one has heard of a certain noble student's antipathy to 'a square book;' one glimpse of the *Times* of to-day must, we should conceive, inflame a morbid feeling of this kind to a fearful paralysis of horror."

We have heard the copy-right of the *Times* calculated at from 100,000*l.* to 120,000*l.*; but it would be difficult to affix a correct value to such an establishment. If it be true that the shareholders have sometimes divided a nett profit of 24,000*l.* per annum, the capital must be estimated at a much higher rate. It was usual some time ago to estimate the value of a newspaper at five or six years' purchase; but shares in the two leading evening papers have been sold at as high a rate as twelve

and fourteen years' purchase. The Morning Herald is a paper, which during the last eight years has risen under the present managing proprietor to more than five times the amount of its circulation before he purchased the majority of the shares, and its advertisements have increased in the same proportion. Perhaps without making an invidious comparison by offering an opinion as to what each newspaper would fetch in the market, it may be safely calculated that a capital of more than 250,000*l.* has been invested in the seven morning newspapers which are now published in the metropolis. Of the evening newspapers, the highest in circulation is now said to be the Globe; at least its proprietors have so stated, and have not been contradicted. This paper was originally started in conjunction with one which has ceased to exist: viz. "The British Press," by a company of booksellers. It was never a losing concern, but the losses of the British Press were more than equivalent to the profits of the Globe; and five years ago, when at a low circulation, it was purchased by the proprietors of another evening paper—The Traveller—and the two were joined together. In the course of the last five years, however, it has incorporated not less than five other evening papers,—the Statesman, the True Briton (a paper started by lord Kenyon, and at one time respectable by its able opposition to the "Bill of Pains and Penalties" against the late Queen), the Evening Chronicle (a paper which was set up by Mr. Buckingham), the Nation, a short-lived enterprise (of Mr. Wooler), and the Argus (a second, and equally unfortunate attempt of Mr. Buckingham). If the maxim of "In union there is strength" be true in any case, it must be true with the Globe, for here is union indeed—seven papers in one. The value of the Globe, according to the last transfer of shares, would be about 50,000*l.*—that of the Courier is greater, for, although its number may be lower, it has more advertisements. We have heard indeed that at one time, shares in the Courier were sold at such a rate, as to make the entire capital worth 80 or 90,000*l.* The Sun is a newspaper which has within the last three years more than quadrupled its number; a result produced, no doubt, by a heavy expenditure of capital—it is said as much as 14,000*l.* It now, like the Globe and British Traveller, advocates liberal principles, and by the great exertions of its managers, it has obtained considerable influence. Lord Kenyon is supposed to have lost in two years more than 7,000*l.* by the True Briton, and Mr. Murray suffered it is believed to the extent of 15,000*l.* from the Representative. The True Briton commenced as a furious Orange paper. In three months it became liberal, and under new management

reached a good circulation. It then assumed Orange colours again; and, under another manager, the circulation fell away almost to nothing. The difficulty of establishing a newspaper was never more exemplified than in the case of the Representative. A more effective body of reporters than it could boast of had never been known, and in all the other departments, except the head, there had been good provision made to ensure success; but it was sent out to the world as a bark with a good crew, under rash and inexperienced commanders, who ran it on shore, and before the damage could be repaired, it went to pieces. The British Traveller has a fair circulation, and is now well edited. The Standard, which is a high church and state paper, has, under very able management, risen to a sufficient height to warrant its being regarded as an established paper; but the Star has so fallen, as to be now rarely mentioned. The amount of capital invested in the evening papers is not less than 150,000*l.*; so that the entire daily press represents an amount of 400,000*l.*, whilst for the weekly papers, and those which appear twice and thrice a week, we may fairly add at least 100,000*l.*, making altogether a capital of half a million.

The weekly papers now published, are, the County Chronicle, Farmer's Journal, World, Atlas, Baldwin's County Herald, Dispatch, Examiner, Trades' Free Press, Life in London, Sunday Times, New Sunday Times, Weekly Times, Age, Englishman, Sunday Monitor, Sunday Advertiser, Bell's Messenger, Farmer's Chronicle, Sphynx, Spectator, John Bull, News, Observer, Old Soldier, and Weekly Courier; besides three Literary Papers, The Athenaeum, the Literary Gazette, and the Weekly Review; one or two Law Papers; and Cobbett's Register. Three of these, the New Sunday Times, the Old Soldier, and the Weekly Courier, are of no older date than the current year. The number of persons employed upon the daily newspapers, taking the average of the morning and evening papers, is upwards of six hundred; and that of the weekly papers, including those which appear two and three times per week, more than five hundred; making a total of more than eleven hundred; and if to this we add the number employed upon the provincial English papers, and upon those which appear in Ireland and Scotland, we shall have a grand total, of two thousand seven hundred. Employed upon each morning paper, there are an editor, a sub-editor, from ten to fourteen regular reporters, at salaries of four to six guineas per week, each; from thirty to thirty-five compositors in the printing office, some of whom, being what is called full hands, that is, men who work the whole

of their day, receive 2*l.* 8*s.* each, as wages, with some additions for over hours; whilst others, who are called supernumeraries, and who compose only a limited portion of matter called a galley, receive 1*l.* 3*s.* 6*d.* each; one or two readers, who correct the proofs as they come from the compositors, and who receive each, from two and a half, to three and a half guineas per week; a reading-boy, whose duty it is to read the copy aloud, whilst the reader makes his corrections upon the proof; a printer, who receives from four to six, or even eight guineas per week; and a certain number of men and boys to attend to the printing machine, and to take off the papers as they fall from the cylinders; a publisher and sub-publisher; two or more clerks in the office, to receive advertisements and keep the accounts; a porter, a number of errand boys, &c.

The salary of an editor, upon a respectable morning paper, is from 600*l.* to 1000*l.* per annum; and a sub-editor receives from 400*l.* to 600*l.* per annum. We have heard that the editor of one of the leading morning papers, has 1000*l.* per annum; and that at least another 1000*l.* per annum, is paid to gentlemen not regularly on the establishment, for political articles; thus providing a variety of matter. Besides the regular reporters of a newspaper, there are several occasional, or as they are called, "penny a line" reporters; from the circumstance of their furnishing articles of intelligence, at a fixed price per line; viz., 1½*d.* or 1¼*d.* They are not attached to any particular newspaper. The aggregate charge for copy furnished by these persons, forms a considerable item in the weekly expenditure of a newspaper. The salaries paid by a first rate morning paper weekly, to its editors, reporters, and others on the establishment, do not amount to less than 180*l.* per week; and if to this be added the expenditure for occasional reporting—for assistance to the compositors—for foreign newspapers, and private correspondence, and various items which it is unnecessary to enumerate, we have a weekly expense of nearly 250*l.* When we take 250*l.* as the weekly expense of a morning newspaper, we must be understood to speak of such respectable establishments, as make great efforts to keep up their character and circulation. By an economy approaching to parsimony, the expenses of a daily morning newspaper might be brought down to 170*l.*, or even lower, per week; but an economy of this kind would prove very prejudicial to the interests of the paper. The utmost number which the proprietors of a new daily paper can expect to circulate for the first year or two, is from five to eight hundred per day; and with so small a circulation, very few advertisements can be looked for. The expenditure for types, printing office,

and other preliminary arrangements is considerable; and the weekly expenses of a new paper, so far from being less than those of an established concern, must be greater if any hopes are to be entertained of forcing the paper into notice, by giving to it exclusive, and therefore dearly purchased, information. The daily cost of printing even a single number of a morning newspaper will be 42*l.*; and the returns upon a circulation of 750, may be seen by the following calculation;

	£	s.	d.
1½ Ream of paper,	3	0	0
750 Stamps,	10	0	0
Daily Expenses for editing, printing, &c.,	42	0	0
	<hr/>		
	£55	0	0

750 papers divided into quires of 27, in which way they are disposed of to the newsmen, at 13*s.* per quire, would give to the proprietors a return of 18*l.*, being a profit over the cost of stamps and paper, of considerably less than 2*d.* per copy. If to this 18*l.* we add about 5*l.*, or at the utmost 6*l.*, as the profit upon advertisements, for a larger amount of profit could not be calculated upon for a new paper, with so limited a circulation, we find a daily loss of 31*l.*; or nearly 200*l.* weekly; so that a few thousands may soon be thrown away in an unsuccessful attempt. There can be but little profit upon a morning newspaper except from its advertisements, with a smaller circulation than five or six thousand; and beyond that number, a newspaper prudently managed, and possessing a fair share of advertisements, becomes a very beneficial undertaking. The duty of a newspaper editor, strictly speaking, is mainly limited to the production of one or more leading articles. He ordinarily does not interfere with the general mechanical arrangement and management of the paper, but leaves that to his sub-editor. However important it may be that the leading articles of a newspaper should be well written, it is not less so that the original and selected matter in the body of the paper should be carefully and tastefully given. Many persons do not read the leading articles, until they have nothing else to read; and to such as these, lightness, and agreeableness, and variety, are alike essential.

The duties of a sub-editor on a morning paper commence about the middle of the day—at this time he arranges for the printer the original communications which have been laid before his superior, and which have obtained his approbation, and revises any report which may at that time have been sent for insertion. He then makes his selections from the provincial papers

which are sent to the office; and when the evening newspapers are published, extracts from them also, and arranges his extracts for publication—occasionally writing an original paragraph on some subject of interest. From that time, until the paper is sent to press, which may be at one, two, or four o'clock in the morning, he is occupied in overlooking the different reports and communications as they arrive, and in selecting from them such as he thinks worthy of insertion.* The editor's duty begins, strictly speaking, with the publication of the evening newspapers. He has to read their leading articles, and to refute or support their arguments. He remains at his post until a late hour, prepared to write comments on the foreign papers as they arrive (a duty in which he is generally assisted by his sub-editor) and to direct, in a leading article, attention to any topic of interest before the public. During the sitting of parliament he is compelled frequently to remain at the office until two or three o'clock in the morning; and such is the energy with which the public press in the metropolis is directed, that it is not rare to see a leading article of nearly a column written at two o'clock in the morning on some subject which had been discussed an hour or two previously in the House of Commons.

The most extraordinary part of a morning paper, the reporting, remains to be noticed. It has been stated, that the regular reporting establishment varies in number from ten to fourteen; most of the persons so engaged are gentlemen of education: and frequently law students, who make this profession an easy mode of qualifying themselves for one of more fame, and sometimes of more profit.† During the parliament, the sittings of which commence at four o'clock in the afternoon, the reporters of the leading papers attend by turns, one succeeding the other, according to previous arrangement, each remaining in the House for half or three quarters of an hour; and the reporters upon minor papers much longer. If the debate is not heavy, the reporter in the House of Commons, when relieved, enters a small

* As the parliamentary reporters, and those who attend the higher courts of law, are men of education and integrity, upon whom full reliance may be placed, and as time does not usually permit an examination of their copy, their reports are sent to the printer as they come, or without undergoing revision by the editor.

† Many of the eminent men now, or lately, at the bar, have commenced their public career as reporters upon London newspapers. Among others, we may mention Sir James Mackintosh, Mr. Campbell, Mr. Horace Twiss, Serjeant Spankie, Mr. Stephen, the Master in Chancery, Mr. James Dowling, who lately went out to New South Wales as one of the judges of that colony, Mr. Charles Phillips, and others, as well as the able editors of the Times and Morning Chronicle.

room at the end of the lobby, which has been appropriated exclusively to reporters, and there arranges his notes (which are seldom taken in short-hand, as, except in particular cases, short-hand"reporting, from the impossibility of finding room in a newspaper for all that a member says, are rather injurious than useful) of the speeches delivered during his turn. He then proceeds at once to the office of the newspaper on which he is engaged, and the editor's attention is directed by him to any thing of commanding interest that has transpired. His slips, as they are written, are given by the printer to the compositors, whose number, during the sitting of parliament, is generally increased, and as one reporter follows another, it is not unusual for a debate, which has terminated only at twelve o'clock at night, to be set up in type and ready for printing by two o'clock in the morning—on the nights of prolonged debate, when the Houses sit late, some of the reporters may be compelled to go back and take what is called a double turn. This, however, on newspapers which have a full corps of reporters, does not often happen; and on ordinary occasions, the fatigue to the reporters is not excessive; but there are periods when it becomes oppressive and injurious to health. So active and able are some of the reporters, that it is not at all an unfrequent thing for one reporter to supply, from the notes of three quarters of an hour, to the paper upon which he is engaged, from two to three columns of closely printed matter, the extent of labour being of course accommodated to his own view of the importance or interest of the subject. Some persons have been known to supply more than a column, and that even on financial questions, in which figures formed the bulk, entirely from the exercise of memory, no notes having been taken; but these are rare instances.

When the copy, for so all the articles from which the compositors set their types, are called, is finished, the matter, which is the collection of types so set, is placed in long brass galleys, from which it is taken by the printer, who ties it up in different columns, and discharges it gently upon a large stone until all the columns of the paper are brought together, when a chase or form, which is an iron frame, is fitted over them, and they are fastened in with wooden wedges. It is then taken to the press, or rather machine, for few presses are now used, and the process of printing commences.

The printing machine is one of the most extraordinary inventions of modern ingenuity. Before its employment, the utmost number of copies of a newspaper which could be printed upon a press within the hour, was five or six hundred;

and that could only be done with great exertion, so that in newspaper establishments, where the demand was considerable, it was necessary to incur the great extra expense of having one or more duplicates composed and sent to other presses, so as to furnish a sufficient supply of papers within a given period. Now, however, there are machines which are turned by hand, two men being required at the wheel, and two to lay on the sheets, whilst two boys take them off the cylinder, which print from two thousand four hundred, to two thousand eight hundred copies within the hour; so that, whether the printing be performed with steam engines, or with hand engines, it is now quite unnecessary to go to the expense of duplicates, and a saving of two or three thousand pounds per annum to an extensively-circulated newspaper is thus effected, after allowing liberally for the wear of the machine upon the amount sunk in the purchase, which varies according to size, and whether it be worked by hand or by steam. A hand machine for an Evening Paper costs six hundred guineas. When the papers are printed, they are taken by the publisher and supplied, in quires of twenty-seven, to the newsmen, for ready money, at the rate of 13s. per quire. In this way the papers are disposed of for something less than 6d. each from the office, but the proprietors have no risk as to debts, and therefore they are satisfied with a smaller return. If any orders for newspapers are sent to the newspaper offices, they are delivered to the news agents, by whom they are supplied at the regular price of 7d. each, or in some cases 7½d., and the trouble and risk of getting in the accounts is shifted to them from the proprietors.

The regular news-venders are not the only persons who trade in newspapers. Orders for newspapers are received by the post-masters in almost every town, and by them they are forwarded to the clerks of the road attached to the General-Post-office; who, by means of an agent, who is also connected with the post-office, receive large quantities of newspapers from the different offices, which are at the post-office put into covers and sent through the country according to the orders received. There is such an advantage to the purchaser of an evening newspaper living in the country who sends his order through the post-master, that if the clerks of the road were permitted officially to make it public, they would monopolise nearly the whole of the trade in evening newspapers. The afternoon papers printed in London are sent to press soon after three o'clock, and at four o'clock, each office has a sufficient number from the machine to supply the newsvenders, who having their town as well as their country trade to attend to, usually take

their papers before five o'clock, so that the newspapers which are sent into the country by them do not contain any later news than up to two or half-past two o'clock, although it is well known that in most of the evening newspapers there is, at five o'clock, an addition made with the closing prices of the funds: on particular occasions, a second edition, and a list of the promotions, bankrupts, &c., copied immediately from the Gazette on Tuesday and Friday evenings. As newspapers are not received at the General-Post-office later than six o'clock in the evening, unless upon payment of one halfpenny on each, the newsman is unable to supply the later editions of the evening papers without the sacrifice of half his profit, and even in such case, with the greatest inconvenience to his general business. The clerks of the road, however, do not receive their supply of papers from the different offices until past six o'clock, and not unfrequently past seven o'clock in the evening, so that their customers are certain of having the latest possible information. It has happened, frequently, that intelligence, which did not arrive in London until nearly seven o'clock in the evening, and a report of debates in parliament up to that hour, have appeared in the country in the papers supplied by the clerks of the road; for, from the moment of putting in hand an article of moderate length, to the moment of despatching a messenger from the neighbourhood of the Strand, where most of the newspapers are printed, to the post-office, half an hour will not be required for the production of some five or six hundred copies; and, in ten or twelve minutes more, the messenger delivers his papers to the agents of the clerks of the roads, who have all their covers ready, and who are able, from their peculiar privileges and facilities, to keep open until within a few minutes of eight o'clock.

We do not think that the machinery of a public office should be thus used for private again—The public are entitled to all the benefits which can be obtained through that Post-office establishment for the whole expense of which they pay. The present system is not fair to news-venders—news-readers, nor to the nation at large. The trader in newspapers is shut out from fair and equal competition—the reader of them, unless admitted into the Post-office secrets is denied the privilege of receiving the latest intelligence—and the people of England for purposes concealed from their knowledge and very unlikely to meet their approval. It is to be feared that much irregular lucre makes its way—through such crooked channels as these to the pockets of official persons.

'The Post-office establishment is one, of which we have a right

to be proud—its arrangements seem admirably adapted to their ends—yet some of the ends are not so national as they might be—and if inquiry were made into the enormous extent to which the clerks of the different offices turn its beautiful organization to their own personal account, there is reason to believe that much saving might be effected and many new sources of revenue discovered.

The expenses of an evening newspaper are much smaller than those of a morning one, and it is to this circumstance that are to be attributed the many attempts which have been made within the last four or five years to establish new evening papers. If, however, the charges of setting up and carrying on an evening paper are less than those of a morning paper, the difficulty of introducing it into circulation is greater, and years must elapse ere a sufficient number of advertisements can be obtained to enable the proprietors to meet their expenditure. The demand for evening newspapers is comparatively limited. The six which are printed in London do not collectively circulate many copies more than the *Times* alone, and of that circulation, the great bulk is enjoyed by two—the *Globe* and the *Courier*. Few persons advertise in more than two or three evening newspapers, and therefore whatever show the minor evening papers may make in the way of advertisements—the result perhaps of a hard canvass or of low prices—there is not sufficient encouragement from advertisers to make the establishment of new evening papers a safe enterprise; of the six which have been attempted within the last few years, only one (the *Standard*) has stood its ground, and the *Standard* probably owes its success to the fluctuating policy of the *Courier*, at the period when the seeming liberalism of the government led to a sort of coquetry with a better and higher policy. The *Standard* was set up by the old Tories when they had not a decided organ in the whole of the London press, with the exception perhaps of the *Morning Post*, which has of late years been in the main, a consistent church-and-state advocate of high ultra politics. The *Courier*, under the direction of another editor than the gentleman who now obeys the mandates of the Treasury, had fluctuated between Canning and Eldon, Wellington and Huskisson, Tory principles, and Liberal principles, until its old staunch Tory subscribers began to leave it in great numbers, whilst its liberality was thought of such young growth that it had no accession in numbers from persons of the opposite party. In this state of things, the *Standard* was set up, and although for a time its success, notwithstanding the skill of the writers employed upon it was doubtful, it may now

be considered to have succeeded. Low as the expenditure of an evening newspaper may be in comparison with that of a morning paper, it is very high as compared with that of fifteen years ago. An evening paper then contained little more than an abstract from the morning journals, an article manufactured from the leaders of its morning contemporaries, now and then a notice of a foreign arrival, an inquest or two, and the price of stocks in the city. Printed in large type, the entire contents were not equal in quantity to four columns of the small type of the *Times* or *Chronicle*, and such a person as a reporter upon the establishment was then never thought of. Now, each evening paper is required to have an efficient editor, and sub-editor—at least three or four reporters to furnish an account of the proceedings in the courts of law and elsewhere up to a late hour in the day—all the news of the continent, and indeed of the world, in anticipation (when possible by means of expense) of the morning papers; and, as to mere quantity, quite as much as the morning papers, with the exception of their advertisements. So great a change as this has not been effected without an enormous increase of expenditure. From 60*l.* to 80*l.*, the utmost weekly expense of a first-rate evening paper fifteen years ago (with the exception of paper and stamps which are always separately considered), the weekly expenditure has now increased to 100*l.* or even 120*l.*, whilst the charge for a copy of the paper to the public, and for advertisements, remains the same. And this expense, large as it is, does not include the extraordinary outlay, under circumstances of strong competition.

During the sitting of parliament, one or two of the evening papers have reporters in both Houses, to record the proceedings up to half-past six o'clock, so that by means of the clerks of the road, a person may, at a distance of one hundred miles from the metropolis, have at his breakfast table a newspaper containing an account of what occurred on the preceding afternoon in parliament two hours after the commencement of business. In several instances the press of an evening paper (the *Sun*) has been kept open until eleven o'clock at night, and a number of copies containing seven or eight columns of report have been forwarded by express to distant parts of the country. In obtaining intelligence by express, some of the evening newspapers have within the last two or three years shewn almost incredible exertion. The *Courier* and *Sun* have sometimes contained the speech of the king of France at the opening of the chamber, twenty-six or twenty-seven hours after it had been obtained by their agents in Paris. During the last invasion of Spain by the French, the *Globe* regularly employed couriers

from Paris, many of which arrived within the twenty-four hours; and the same industry was manifested in getting up communications from Liverpool, at a time when the affairs of South America possessed interest for the English public. A curious circumstance illustrative of the rapidity with which intelligence is circulated through the country by means of the evening newspapers occurred about four years ago. A vessel arrived off Liverpool, with papers, containing the account of a decisive battle between the Royalists and the Patriots in South America. As soon as this vessel was signalized, a boat was sent off by the agent, and the papers were landed and sent by express to London, where they arrived at half-past one o'clock on the following day. When the person to whom they had been forwarded in the city had made his own use of the contents in the money market, they were given by way of favour to the correspondent of an evening paper (the *Globe* we believe), and at half-past three o'clock the owner of them had a copy of the paper in the city, containing a translation from the papers which he had supplied. In less than a quarter of an hour the person who had brought them from Liverpool to London was sent back to Liverpool with a copy of the London paper, and on the following day at twelve o'clock, the agent in Liverpool had received it. As the wind had in the meantime been unfavourable for the vessel which had arrived with the news from South America to enter the port, and no communication had been permitted from the shore, the first knowledge which the inhabitants of Liverpool had of the battle was derived from the London paper, which was laid upon the table of the reading-room one hour before the vessel entered the port. But even this affords an insufficient specimen of what has been effected in the way of dispatch. The proprietors of more than one evening newspaper, have, from time to time, with more enterprise than good taste, supplied to the public accounts of prize-fights in different parts of the country with still greater rapidity. The fight between Spring and Langan, which took place three or four years ago at a short distance from Chichester, was brought to London at the rate of more than twenty miles per hour. For this purpose, horses of the best description had been previously placed on the road at short distances from each other, and we understand that the feat was performed without injury to horse or rider.*

* When the emperor of Russia was in this country, he visited Oxford. An account of his arrival there in the evening was sent up by express to a morning paper, in which it was printed, and the paper containing it was sent to Oxford by express, so as to be on the breakfast-table of the emperor on the following morning.

The persons employed upon a respectable evening newspaper are an editor, a sub-editor, four or five regular reporters, a printer, fifteen to eighteen compositors, of which number half are usually full hands, the others supernumeraries; a reader, a reading boy, a publisher, a clerk, a porter, three or four men at the printing machine, two boys to take the papers from the cylinders, and three or four errand boys to bring copy from the law courts and to carry the newspapers to the Post Office and to the newsmen in the city. The editor of a first-rate evening paper receives for his services from 400*l.* to 600*l.* per annum, and the sub-editor from 250*l.* to 450*l.* per annum. The printer has from three to four guineas per week. The reader or press corrector 1*l.* 11*s.* 6*d.* to 2*l.* 2*s.* The full compositors 2*l.* 3*s.* 6*d.* each; and the supernumeraries 1*l.* 1*s.* 6*d.* The reporters who have regular salaries have seldom more than three guineas per week each, as they are able when they have finished their labours for an evening paper to employ the remainder of the day in other pursuits. The publisher has about three guineas per week in the way of salary, with the profit (beyond the 13*s.* per quire of twenty-seven papers which is paid to the proprietors) upon all newspapers sold at 7*d.* each in the office, and a slight profit upon newspapers sold to newsmen, who do not take so many as a quire, and who therefore pay 6*d.* each; the publisher in such cases gaining one paper in every twenty-seven. In times of excitement, when the demand for newspapers is great, and many persons who do not take a newspaper regularly, purchase occasionally at the offices, the gains of the publisher are extensive; but in ordinary circumstances, his average profits do not perhaps exceed 1*l.* per week beyond his salary. He has however another source of profit in the orders from subscribers which are sent to the office. As no papers are supplied direct to subscribers from a newspaper office, the orders are given to newsmen, and for each so given a gratuity of 10*s.* 6*d.* to 11*s.* is presented to the publisher by the newsman by whom the order is to be executed. The salary of the clerk, whose duties are to keep the books and to pay the salaries and the bills for occasional reports from the "penny a line" gentry—no small item of expenditure on an evening newspaper—varies from 150*l.* to 200*l.* per annum; but he has no perquisites, or at least none which are recognized by the proprietors. The editorial or rather the sub-editorial business of an evening newspaper commences at six o'clock in the morning, when copies of the morning newspapers are laid before the sub-editor, who extracts from them and curtails articles of interest which they contain. The regular business is completed before three

o'clock, soon after which hour the form of the paper is sent to press, but up to six o'clock, and sometimes later, there are frequent additions, which demand the constant attendance of the sub-editor.

Of the six evening newspapers now published in London, only two (The Globe and the Courier) are said to yield any profit worthy of notice. The proprietors of these papers divide, we have heard, upwards of 14,000*l.* per annum, which would be about twelve per cent upon the capital invested. In many London newspapers the majority of the proprietors are mere investors of capital, who give themselves little concern about the manner in which their property is managed, so that their dividends sustain no diminution. In some cases the entire property is held by an individual, who personally directs the affairs of the establishment, but in few cases is any direct interference attempted with the defined duties of the editors.

It is generally supposed, that a circulation of fifteen hundred copies daily is sufficient to cover all the expenses of an evening newspaper, but the calculation is very erroneous. The stamps for fifteen hundred copies cost 20*l.*, and the paper of the smaller size, such as the Globe and Courier, about 4*l.*, making together 24*l.* Fifteen hundred copies, or fifty-five quires, and fifteen papers, would produce about 36*l.*, leaving a profit of 12*l.*; and this repeated daily, gives for the week 72*l.*, about 40*l.* to 50*l.* less than the weekly expenditure of an evening paper must be to enable it even to maintain a circulation of fifteen hundred: the expenses of getting up the paper being the same as for a larger number. To meet this deficiency, there are the profits from advertisements, but we believe there are few instances of an evening paper, with a circulation of only fifteen hundred copies, producing more than 20*l.* to 25*l.* per week from its advertisements. Nothing short of a circulation of two thousand, and from 30*l.* to 35*l.* per week from advertisements, will provide for the necessary expenditure.

The general character of the Newspaper Press is high and honourable. No well-authenticated fact is known, of an Editor's having accepted a bribe to induce him to support a dishonest opinion. That their power has much that is despotic in it is most true, and that those who wield the mighty engines may make, and have made it at times, subservient to personal prejudice, hate, jealousy, and vengeance, is a consequence which must lead us to subtract something, from the stupendous benefits they confer on the community. They sometimes cater for the vulgarest tastes, while they assist the noblest purposes of philanthropy; they sell their columns to delusions and deceits,

while they advocate the severest and the strictest neutrality ; but their general tendencies are *for* good, and *to* good, and their influence is undoubtedly on the side of truth, prudence, and virtue.

Most of the numerous accounts of accidents and offences, reports of coroner's inquests, and no inconsiderable portion of the reports of proceedings at police offices, are supplied by a very inferior race of reporters, known by the name of "penny-a-line men : " such contributions form far too prominent a feature in the contents of a London newspaper. Ordinarily, they are persons of little instruction, and their contributions frequently are delivered filled with bad spelling, bad grammar, vulgarity, and grossness. Wanting a knowledge of the plainest rules of composition, they adopt a mawkish and affected style, which is much more offensive than the plain language of unobtrusive ignorance. With them the notion of every occurrence which may be the reverse of gratifying is accompanied with the profound observations of "melancholy to relate ;" if a child is burnt to death, it must be "a remarkably fine child, which, if it had survived this horrible calamity, would, in all probability, have proved the delight of its afflicted and agonised parents ;" if a girl of the town appears at a police office on a charge of robbery, she is "a remarkably good-looking, and interesting female, dressed in the first style of fashion ;" and if a fellow, something above the common class of rogues, is tried at the Old Bailey for swindling or forgery, we are treated with a long description of his appearance and demeanour, and even the number of pinches of snuff taken by him during the charge of the prosecuting counsel, is carefully remembered. The "penny-a-line" men are to the press what the Cossacks are to a regular army ; and some cases of venality on their parts have encouraged an opinion, that nothing is more easy in the way of reports, than for the bribe of 2*l.*, or 3*l.*, or, at the utmost, 5*l.*, to suppress or procure the insertion of any article. It would be difficult, we believe, for persons who profess to entertain this belief, to point out any instance of a regular reporter having so wronged the reputation of his employer, or disgraced his own character ; but it is not impossible that some of the needy occasional reporters, who do not scruple to represent themselves as connected with some paper, generally the most respectable, have been guilty in the way alluded to. The peculiar mode in which these persons, who are probably about twenty in number, obtain the means of subsistence, is worth notice. The readers of newspapers have sometimes expressed much surprise, that the same news should appear in the same words in several papers published at the same

hour. It is thus managed.—When the facts, upon which the article is to be manufactured, have been collected or invented, the reporter, by means of their paper, something between silver and bank paper, called *flimsy*, and prepared sheets of silk covered over with a thick coating of printer's ink and dried, makes seven or eight copies for the several morning or evening newspapers.—This is attended with very little trouble. The black and white sheets are placed alternately, the reporter writes on the upper paper with a piece of steel or glass, not too finely pointed, so that the paper may not be cut, and with a moderate degree of pressure the ink is transferred from the black to the white sheets, and he obtains seven or eight perfect copies. To each of these copies he affixes his name, and then sends them round to the newspaper offices to take the chance of their insertion. If the subject of the report is thought interesting, he is well paid; for a report of half a column, in each of the morning papers, will produce him, in the whole, more than 3*l.* 3*s.* From the competition, however, among these gentlemen, and the prudence of some editors as to the use of reports so furnished, it is seldom, indeed, that they are so fortunate. A curious story is told of two worthy competitors of this profession. A poor devil of a penny-a-line man, who had been more than a fortnight without a real accident, conceived the design of a clever and romantic murder. In a few minutes the murder (on paper) was committed, the manifold copies were made, and the reporter's son was desired to take them round to the newspapers. The boy, however, on his way, met with another penny-a-line reporter, who read the account, and, contriving to delay the lad with some excuse, wrote up another account of the same murder, and sent it rapidly round for insertion. In two instances his account arrived first, and was therefore used, for it is a kind of principle to take the first copy, if fairly done; on the following Saturday, when the real inventor of the murder went for payment, it was refused, on the ground that the murder was not of his reporting. The poor fellow insisted, observing that the wording, indeed, of the account was not exactly the same, but that the murder must have been his own, because no other person (or at least no other reporter) had been aware of the transaction. The two reporters were then brought face to face. The plagiarist contended for the correctness of his statement, and the inventor declared that the other report must have been plundered from his copy. The plagiarist still contended for the correctness of his statement, and for its having been obtained from a pure and certain source. The quarrel was becoming fierce, when at length the original murder-maker exclaimed in a passion, "You rascally

swindler, how can you say that you knew of the murder, when no murder had taken place, and it was entirely of my own invention."

One great impediment to the perfect management of the periodical press, grows out of a Post-office regulation, which makes the readers of an English newspaper dependent for the quantity and quality of much of the foreign intelligence, on a certain number of the clerks at the General Post-office. Every newspaper received in this country from any part of the continent of Europe, and from other parts of the world, except our own colonies, through the Post-office, is charged at the same rate of postage as a letter; and if the paper has round it, as is usual with foreign newspapers, a small band of less than two inches in width, with the address of the party, double postage is charged. Were the editor of a London newspaper, therefore, to receive, through the proper channel, the foreign newspapers, from which, for the information of the public, it would be necessary to give extracts, the charge for postage alone, to say nothing of extra allowances to reporters acquainted with foreign languages for the translations, would be very large. The clerks in the foreign department of the General Post-office, taking advantage of this prohibitory charge, receive all the foreign newspapers upon which, probably, they pay no postage at all; and one or more persons are engaged by them as translators, to send round to the daily papers manifold copies taken in the same way as the contributions of penny-a-line reporters, at a certain weekly charge of 2*l.* 2*s.*, or more, to each of the newspapers. This weekly charge, however, is merely for the translations from German, Lisbon, and South American papers. For the translations from French papers, a distinct, and, we believe, a large sum is paid, in addition to the Post-office translations. Some of the newspapers receive copies of the French papers, from which their own translators can make extracts; and the clerks of the Post-office, in times of excitement, run an express from Paris with papers of a more recent date than those which arrive by the ordinary conveyance. That the clerks of the Post-office faithfully discharge the conditions of their contract with the proprietors of the London newspapers, and that they sometimes, by means of expresses, communicate to the newspapers foreign intelligence earlier than with their present arrangements they could otherwise obtain, is no answer to the charge of monopoly. If the legislature will not place the intercourse of the London and foreign press upon a more liberal footing, what should prevent the newspaper proprietors from subscribing to obtain, on their own account, and by conveyances

of their own, a sufficient number of copies of all the best continental newspapers for their own use? Are the clerks of the Post-office, or the persons employed by them to make the translations competent, or, if competent, ought they to be the persons to decide, as to what portions of the contents of a foreign newspaper are to be laid before the British public? Is it through the clerks of the Post-office that we are to learn the improvement of foreign nations in politics, literature, and science? How many valuable articles in the arts and sciences are contained in the German newspapers, of which the public, in this country do not even hear? and how frequently do invaluable articles, on subjects of interest to society at large appear in the liberal French newspapers, which are not noticed by the press of this country? Surely, without materially reducing the quantity of food which is now provided in London newspapers, even the best of them, for the cravings of a vulgar appetite, some improvement might be effected in the mode of supplying information on the subjects of real interest, which are occasionally discussed in the newspapers of other countries.

Hereafter, we shall probably give some details respecting the London weekly press, and the provincial periodical press, as also that of Ireland and Scotland. In a succeeding and concluding article, these will be severally touched upon, and an account will then be given of the Newspaper Press on the continent of Europe, with some reflections on the degree of influence, moral and political, which is exercised by the press at home and abroad upon the feelings and actions of society and individuals.

ART. XV.—1. *Quarterly Review*, No. LXVI: *Article on Irish Absentees.*

2. *Blackwood's Edinburgh Magazine* for December 1828; p. 702.

WHEN the removal of a great evil is in agitation, and the hopes of honest men begin to rise, and those of their opponents proportionally to quail, then is the precise time to throw in a mystification of the cause—to turn adrift some lanthorn in a tub, as crafty skippers wont when sorely pressed by cruisers on the deep. Just such an opportunity is held forth at the present conjuncture, on the question of Ireland's ills; and it seems next to impossible, that during the approaching session, some spruce commoner or puffy peer should not essay to rig out the shell of Absenteeism for service in his cause. The government that recalled lord Anglesey would probably give such a speculation fair play, and gladly defer the experi-

ment of emancipation till a few years trial had been given to its rival. Whether the Catholics would chase the false light, is chiefly their own concern; but there is enough in the quarter from which it is already shewn, to warn them at least to look before they follow.

The history of the question of Absenteeism is curious. A political economist, in evidence before a committee of the House of Commons, declared that absenteeism was *not* the cause of the misery of Ireland; and gave his reasons. The Quarterly Review detected an error in the reasoning; and so, with briefer

‘wandering fires that move

In sweet record of harmony and love,’”

sang victory. But the spirit of evil is not tamed with harp-strings; and lo! the fiend is up again and doing, till Vishnu array himself in trimestral or monthly incarnation, to return him to his deep.

The questions put by the Select Committee of the House of Commons, and the evidence, were as follow:

‘Supposing the absentee landlords of Ireland were to return and reside upon their estates, is it your opinion that that would be productive of any decided advantage to the lower orders of the people?—No, I am not aware that it would be productive of any advantage to them in the way of increasing the general and average rate of wages all over the country.

‘Would not the expenditure of their incomes among them be productive of great good?—The income of a landlord, when he is an absentee, is really as much expended in Ireland as if he were living in it.

‘Will you have the goodness to explain that a little farther?—When a landlord becomes an absentee, his rent must be remitted to him one way or another; it must be remitted to him either in money or in commodities. I suppose it will be conceded that it cannot continue to be remitted to him from Ireland in money, there being no money to make the remittance; for, if the rents of two or three estates were remitted in money, it would make a scarcity of money and raise its value, so that its remittance would inevitably cease; it is clear, then, that the rents of absentees can only be remitted in commodities. And this, I think, would be the nature of the operation:—when a landlord has an estate in Ireland, and goes to live in London or Paris, his agent gets his rent, and goes and buys a bill of exchange with it; now this bill of exchange is a draught drawn against equivalent commodities that are to be exported from Ireland; it is nothing more than an order to receive an equivalent in commodities which must be sent from Ireland. The merchants who get 10,000*l.*, or any other sum from the agent of an absentee landlord, go into the Irish market and buy exactly the same amount of commodities as

the landlord would have bought had he been at home; the only difference being, that the landlord would eat and wear them in London or Paris, and not in Dublin, or in his house in Ireland.

‘Therefore, in proportion to the amount of rent remitted, will be the correspondent export of Irish commodities?—Precisely: ‘if the remittances to absentee landlords amount to three millions a-year, were the absentee landlords to return home to Ireland the foreign trade of Ireland would be diminished to that amount.’—*Report from the Select Committee on the State of Ireland; 1825. Ordered by the House of Commons to be printed, 30th June, 1825—p. 813. Evidence of J. R. M’Culloch, esq. June 30th, 1825.*

On this, it was said by the Quarterly Reviewers—

‘Let it be assumed, then, that the rent due to an absentee amounts to a hundred quarters of wheat, a hundred heads of cattle, and a hundred firkins of butter; and that his tenants convey these commodities to Cork, whence they are transported to England, France, or Italy, for the use of the landlord. If the owner of this estate lived in Ireland, he would expend his wheat, beef, and butter, on Irish footmen and housemaids; on Irish tailors, coachmakers, butchers, bakers, &c., to whom he would give employment; but, as an absentee, he expends them on the domestics, artisans, and mechanics, whom he employs at Westminster, Paris, or Naples. Still, if we are to believe the “witness,” “his income is as much expended in Ireland as if he were living in it.”

‘The extravagant and truly ridiculous blunder into which the “witness” has fallen arose, we presume, from his overlooking a most material feature which distinguishes the export trade of Ireland from that of every other country. When other countries export commodities of which they have a surplus, they import articles of equal intrinsic value. The advantages of this traffic are therefore mutual. But for the vast quantities of raw produce—for the wheat, beef, and butter, worth, we should suppose, at the least, four millions per annum, which are now sent out of Ireland to pay absentee landlords, that country receives no return, except receipts for rent can be represented in that light. Hence it must be evident that to the parties concerned in this trade, there can be no reciprocity of advantages. The hungry population of Ireland are doomed to stand idly by and see a vast proportion (probably not less than one half) of the whole produce of the country exported from its different harbours to be expended by absentee landlords on foreign domestics and artisans. The meal is taken away, while the mouths into which it ought to go are left behind.—*Quarterly Review—No. 66. Art. on Irish Absentees. p. 460.*

This may not be very clearly stated; but it points to an objection, which has never been answered, and is probably unanswerable. There has been a simple omission of one of the articles in the account; namely, that when the money is paid to Irish

footmen and housemaids, tailors, coachmakers, &c.—in short, to that train of dependents which Miss Edgeworth has somewhere called *a tail*—it is by them expended on beef, butter, or some kind of Irish produce, just as much as when it is paid to a merchant in Cork for the purpose of effecting a remittance to an absentee. The difference in the two cases, therefore, as far as can be gathered from the argument before the House, is that in one *the tail* is starved.

After this admission, it may appear strange that there should be any further question. But because a thing has not been proved, it does not follow that it cannot be proved. It does not even follow that an inference, which may be correct enough upon the principles assumed, shall be the true one; for there may be some deeper principle which has been overlooked, and which shall swallow up both principles and inference. An instance in point is the Theory of Tides. The superficial inference would clearly be, that there should be high water once a day, and spring-tides once a month. But deeper principles lead to the demonstration that they should be twice; and nature confirms the truth.

The real answer to the assertion that absenteeism is the cause of the misery of Ireland, is,

First, That at all events what can at the present moment be engaged in hurting Ireland, is not the mass of existing absenteeism, but only the quantity by which it happens to be increasing. So that there is an attempt to substitute the principal for the interest, or as a mathematician would say, the integral for the increment.

Secondly, That the idea that Ireland would be relieved by any circumstance that should put an end to this increment,—(short of persuading men to like whiskey as well as claret, or something analogous to it,) is a fallacy of the same nature as Colbert's proposal to make France full of bread, by prohibiting the exportation of corn.

Keeping the second principle for the present out of sight, it is at all events plain that the only permanent effect of any given quantity of absenteeism, is *to make Ireland a smaller Ireland*. If Irishmen are miserable, there are fewer of them to be miserable; and if happy, there are fewer to be happy; but neither their individual happiness nor misery is affected by it, except at the period when the change is taking place. If all the absentees were to come back in a flock, it would undoubtedly cause a spurt of employment and felicity in Ireland. But as soon as this spurt was over, the effect would be the same as if a new county, Kerry had risen out of the sea;—not a new county for the old county to carve potatoe-grounds out of, for this has been done

already, and is what caused the spirt;—but full of live Kerry men, with sticks and potatoe-shovels, and Orange lodges and Catholic rent, and police-troops and yeomanry, and all things required to constitute an Irish condition of society. And by parity of reasoning, when a resident turns absentee, he does much the same as if he embarked on his acres instead of a steam-boat, and steered them to Southampton or to Havre de Grace, leaving all the human stock behind but himself. That this, on the principles hitherto involved, has a tendency to diminish the population of Ireland, is undeniable,—but the effect on the general happiness is only temporary; and it is not true that the floating away of the man's acres is the cause of a perpetually recurring infelicity, which is the statement of the opponent. If, for example, the whole county of Norfolk was to be gradually swallowed by the sea, it would produce much temporary suffering, and permanently diminish the political or aggregate power of the British community in nearly the same degree as if all the inhabitants had sunk along with it. But it would not be true that thenceforth for ever, the British community would stand starving and looking for the county of Norfolk; which is the attitude in which Ireland is represented as looking for her absentees. If the proposition was, that Ireland suffered through being too weak;—that it was because she had not political power enough to make herself respected, and to maintain the degree of comparative independence which would ensure her being well treated;—in this sense there might be some ground for maintaining that the absentees did her a permanent injury. But it has never been understood that this is the proposition; and the object is to prevent the miseries of Ireland from being charged to a wrong cause, to the concealment of the true.

If it should be replied, that by this very showing, every act of absenteeism produces evil at the time when it takes place, the answer is, That the opponent has taken credit for the constant action of *the whole*, and that besides this there is another principle to come;—That supposing, for argument's sake, absenteeism to be increasing at the rate of five per cent per annum, he has taken credit for the principal instead of the interest, and consequently the magnitude of his conclusion is at all events to be reduced in the proportion of something like twenty to one. When it is to be established that absenteeism and not misgovernment is the torment of Ireland, a huge sum—"four millions per annum"—is paraded before men's eyes; and what is here contended for is, that it ought in all fairness to be cut down to something like 200,000*l*.

Even if it was true—which it is not—that a country suffers a

permanent diminution of political strength and importance by its absentees, this would be no foundation on which to ground a right of restraining absentees, by taxation or otherwise. Such a right might be maintainable, if men were like rabbits in a warren—bred for the purpose of giving their skins and carcasses to the warrener. There is no doubt that to a proprietor of this description, absentee rabbits appear to be just subjects for restraint; and he establishes a Preventive Service of furze-bushes on the walls of his domain accordingly. But if there is any ascertained political truth, it is, that men were not born for their hides and tallow, but for the purpose of living as happily as they can; and by a wise disposition of Providence, when they are made miserable they have a propensity to run away. A bounty is thus created in favour of good governments; because a bad one has nobody to govern but those who cannot help it. It would be exceedingly hard if a government could be bad *ad libitum*, and shut up its subjects besides. It has always been considered a harsh measure, when a government prohibits the exit from an infected district; but it would be still harder if it made the plague and the *cordon* too. There is a plague in Ireland, and the government cannot take it away, because it is a vested interest; the resurrection-men would pull any body to pieces that attempted it. But this is no reason why the government should shut people up besides.

But the great answer on the question of Absenteeism is, that the case would not be mended if the absentees were brought back again; and consequently their absence is not the cause of the ills complained of. If, indeed, the ills could be removed, so as to make men *like* living in Connaught or in Tipperary better than in Paris or in Westminster,—then the effect would be the same as if they could be made to like whiskey and brown ale better than the claret they at present go to drink abroad. But as long as this liking is not produced, to shut them up against their liking is only the fallacy of Colbert. If all the corn in France was exchanged for home-made goods, and none for foreign, what a vast deal of corn there would be! So reasoned the minister; but behold the unreasonableness of the corn-growing part of the community—the corn was not grown. The growers said sensibly enough, “When we grew corn, it was with a view to obtaining for it the foreign goods we like to consume. It is true, you do not prohibit the importation of the foreign goods; but you prohibit the exportation of our corn, which is the same thing to us in the end.” In the same manner the absentees will say, “When we encouraged the production of wheat, cattle, and butter at home, it was because we were at

liberty to enjoy the results how we pleased, and where we pleased. But if you take away from us the enjoyment, you cannot expect the production to be the same." It may be replied, as in the case of Colbert, that the producers are obliged to produce by their own interests; and that they will not stop producing, to spite the minister. But the experimental fact is, that they *do* stop; and the organ through which this effect is brought about, is clearly the fall of prices caused by the limitation of their market. What goes to keep the absentees, goes into a foreign market; in the same manner as if it went to buy claret for the same individuals to consume at home. But if the individuals come home, it must either go to buy foreign produce still—in which case there is no difference but that the claret is drunk in one place instead of another; or it must go into the home market, and so the extent of the whole market be diminished by the amount. When, therefore, men lament over the butter, the beef, and the bullocks, and calculate what a world of *tail* they would support if they were only kept in Ireland—they should reflect, that these things were produced because they could be carried away and sold; and that to sigh over their departure, is like a baker's being sentimental over the loaves that quit his shop, and reckoning the immense meals he might enjoy, if he could only procure an Act of Parliament to make them stay at home.

If this view is correct, it is superfluous to insist further on the necessity of the Catholics being on their guard, against the attempt to give them a stone when they ask for bread. At all events the proposal is suspicious, as coming from their enemies; and recommendations of caution can scarcely proceed from others than their friends.

Any conclusions in favour of free trade, which have been at any time deduced from the proposition advanced before the committee of the House, were true enunciations tacked to a wrong demonstration. The real cause why no community can ever lose by free trade is, that nothing can ever be brought from abroad without something being produced at home to pay for it,—and that all that is given above the cheapest price, must be given by somebody without an equivalent. Whoever desires to see this point illustrated with brevity, and in the best style of the best parts of Adam Smith, will find it in "Three Lectures on the Mercantile Theory of Wealth, by the Professor of Political Economy in the University of Oxford."*

* Published by Murray, 1828.

ART. XVI. 1. *Some Account of the System of Fagging at Winchester School ; with Remarks, and a Correspondence with Dr. Williams, Head-Master of that Public School, on the late Expulsions thence for resistance to the authority of the Præfects.* By Sir Alexander Malet, Bart. Second Edition. London. Ridgway. 1828. Pamphlet, pp. 23.

2. *A Letter to Sir Alexander Malet, Bart., in reference to his Pamphlet, touching the late Expulsions from Winchester School : with a word, in passing, to the Editor of the Literary Gazette.* By an Old Etonian. ΤΟΥ ΦΑΓΕΙΝ ΤΙ ΒΕΑΤΙΟΝ.—London. Wilson, Royal Exchange. 1829. Pamphlet, pp. 26.

IF education is of any consequence for good or evil, the worst possible training that could be given to the higher classes in any country, would be one that should teach them to be tyrants by beginning with being slaves. How far this extreme case is realized in institutions of our own, may in part be gathered from the publications to which the expulsion of six school-boys from the public school at Winchester has lately given rise. The oppression of about the same number of students at Oxford, founded the Methodists, and gave the Church of England most of the virtue it possesses ; and it is possible that out of the present case may grow events, if not of equal magnitude, of similarly intolerable tendency. When an oppression is notorious, palpable, avowed—when it is defended on the ground of its being ‘part and parcel’ of institutions as they are, and likened to mightier evils for the purpose of demonstrating the necessity of upholding both together—the question of magnitude merges in that of principle, and the contest becomes part of the great struggle of mankind, for good government or for bad, for the right of misrule on one side, and of reform upon the other.

It is hardly necessary to state, that what is called fagging at public schools, consists of the performance of servile offices by the junior boys for the senior. To black shoes is not servile, provided it is done by consent and paid for ; but to black shoes under the penalty of being beaten for non-compliance, is slavery in man or boy.

It appears that at Winchester, the eight senior boys are called Præfects, and fag the juniors ;

‘and that they may have a greater command of their services during meal times, they appoint one of the junior boys with the title of Course Keeper, whose business it is to take care that whilst the Præfects are at breakfast or supper, the juniors sit upon a certain cross-bench at the top of the hall, that they may be forthcoming whenever a Præfect requires any thing to be done.’

The nature of the service for which they sit on this cross-bench, consists in toasting bread for the seniors; each Præfect being waited on by two knights toasters. This duty was usually demanded of the four junior classes; but a scarcity from some cause arising in these forms, the Præfects issued their mandate, that the fifth or next higher should take their share. The fifth—upon the same principle that a man who has been kicked yesterday feels aggrieved at being told he is to be kicked again to-day—were inclined to demur; and a boy of the fifth class absented himself,—think of it, aristocracy of England,—did not sit down to toast. When ordered by the senior Præfect to put himself in the seat of the toasters, ‘he refused to do so, and argued the point as a matter of right, referring to the Course Keeper as the depository of the rules, and expressing himself prepared to abide by his decision.’ The Course Keeper decided against him; upon which the Præfect determined to punish the contumely of the appellant by beating; and a second Præfect laid hold of him in aid. Whereon ‘a simultaneous movement’—awful thing, simultaneous movement—‘took place among the juniors, who pinioned the two Præfects, released the boy who was being beaten, and gave them to understand that the intended chastisement should not be inflicted.’

Now all this would be of comparatively little note, if it was a mere boyish contest for superiority. But no; it was a weightier thing than that; the whole system of juvenile slavery, from Winchester to Eton, and from Eton to the Land’s End, was in danger. The Præfects laid their complaint before the Head Master, who expelled the boy who had refused to toast, and five others, who had appeared most active in preventing the Præfects from punishing him. Amongst the number was the brother of Sir Alexander Malet; who endeavoured, though without success, to procure his reinstatement in the school. Two letters of Sir Alexander on this subject are given in the pamphlet; with the reply of the Head Master to the first. In this reply, there is a total sinking of the fact, that the Præfects were only resisted in the perpetration of a gross outrage; a point which the replicant ought to have known, and which he must have known if he had made the slightest investigation.

‘The authority of the Præfects is, as you well know, essential to the maintenance of discipline in the School; and it is impossible that they can exercise that authority with effect, if they are not protected from the danger of personal outrage. If they, or any of them, exceed the line of their duty, or commit any wrong act, they are liable to censure and punishment from the master; and if any boy think himself

aggrieved, he may prefer his complaint in the proper quarter, with a certainty that it will meet with due attention. But he cannot on any account be permitted to use force against those whom he is bound to obey ?'

The doctrine therefore is, that he is to be beaten and mended afterwards ; a creed which the Head Master himself would not submit to if he could help it, though a jury of Head Masters should be ready to award him damages.

But the whole story would have wanted relief, if it had not been for the second pamphlet. Winchester, it should seem, is '*paries proximus*' to Eton ; and when one begins to smoke, it is time for the other to stir. So Dr. Syntax in person trots forth on his classical hobby, to put down the heterodox baronet by likening him to Daniel O'Connell.

'It seems (and I judge, and can judge, only from your own statement) that certain regulations have existed in Winchester School from time immemorial, and form part and parcel of the whole system. Sundry high-minded youths, utterly unable to endure matters so derogatory to their dignity, kicked, like the Catholics of Ireland, against the pricks, and magnanimously resolved to shake off the galling yoke.' &c.

'But, alas ! short was the triumph, and but brief the joy ! Those indomitable heroes, who, like Daniel O'Connell and his crew, had taken the law into their own hands, to redress their imaginary grievances, found, as all real Englishmen trust that O'Connell and his friends will find to their cost, that they were at once resolutely banished from the scene of their illegal and unconstitutional violence.'

It is enough. The writer is a "part and parcel" man. Cheese-toasting is the constitution, and the constitution is cheese-toasting.—The Editor of the Literary Gazette too, comes in for the tail of the storm. He had expressed some feeling for the sufferers ; and had said something about "obeying the dirtiest command." Whereupon he is thus put down ;—

'But this show of deep feeling, this pity for the numbers of delicate youths mercilessly slaughtered under this atrocious system, all goes down, and does its work. Kind matrons and tender fathers incontinently shudder, and groan deeply at this terrible sacrifice of British lives ; public schools are looked upon, as sinks of misery and iniquity, a set of Spartan ἀποθήραι, from which their dear children will never return alive and uninjured ; they ponder on shivering bed-warmers, and burning cheese-toasters, and black shoe-cleaners, and dirty servants-of-all-work, until their loathing becomes ungovernable ; and then

Rises from earth to sky the cry of woe :
Then shriek the timid and stand still the brave ;

and then rushes forth a storm of mournful indignation at such inhuman atrocities.'

'But, Sir, in all this tornado of *liberal* sentiments, where are the returns of the killed, wounded,* and missing in these battles with tyranny and oppression?'

Now the allegation never was, that people were killed outright and by the shortest way; but, that they were exposed to injuries and sufferings enough to make life bitter, and sometimes to shorten it,—as is always the case where human beings have nothing to trust to but the moderation of their tyrants. Hear an evidence. A great man whose name will live, when the memory of fagging institutions is only preserved like that of Mammoths by their bones,—has furnished in writing the following reminiscence. One of the senior boys in the college at Westminster had a disease;—what is technically called *syphilis*;—and like Job, he scraped himself,—whether with a potsherd is not told. But how shall the rest be said;—in what words, which are the symbols of ideas, shall the information be conveyed? If Job when he scraped himself *had made the devil eat it*, he would have done to him what this senior boy did to his fag, by way of punishment for some supposed offence. He put the *squamae* of the *cicatrix* into a glass of water, and made the junior swallow it. ΤΟΥ ΦΑΓΕΙΝ ΤΙ ΒΕΑΤΙΟΝ—think of that, at your dinners of three courses. Think of that, 'kind matrons and tender fathers,' when you send your children to schools, where though it is true the detestable instance here stated happened seventy years ago, the customs that produced it still exist, and are defended as 'part and parcel' of the whole.

Imagine now a 'kind matron or tender father,' sending a boy to school and saying, 'Go forth, fair scion, to learn what shall make you great in future story. And first, you shall toast bread, and next black shoes; and then you shall steal geese, and if you resist, fair scion, shall be kicked. And thus you shall come back, your country's hope and parents glory,—and join the galaxy of worth, who have walked through the same discipline to never-dying fame.'

But let not Winchester fear. There is no idea of mending it. As was said of Pope and his crooked back, it is much easier to make a new one. The middle classes, with a portion of the highest, have already risen up against such folly, and founded the University of London. Even while this is being written, the Quarterly Review* gives up the case of fagging, and leaves the

* Quarterly Review for January 1829. No. 77. Art. on Elementary Teaching.

‘part and parcel’ men to make their defence themselves. The new institution is the legitimate produce of the disgust universally entertained for the absurdities of the old ones. It has risen triumphantly through all the opposition and scurrility of its enemies; and five hundred and thirty students is no contemptible number for an opening muster. Heaven knows what diseases, in this great metropolis, may at some time or other find their way into the University of London; but of this men may rest tolerably sure,—that there will none be *eaten*. The new University now only wants one addition, to ensure its victory over the worn out and the corrupt; and that is, *a junior branch*. At present, there are few restrictions upon age; but there are on the degrees of knowledge. What is wanted, is an organization for commencing with boys at the same point at which they are taken by the public schools,—or with the first rudiments of learning, after the reading of their mother language. Such an addition to the original plan,—aided by a junction of the improvements of Hamilton and Lancaster, which there seems to be no impossibility in accomplishing,—would prevent youth from being engaged at all in the servile and degrading trammels of the old institutions, and give the decided victory to the new. If any false pride, or attachment to the pomp and circumstance of glorious antiquity, prevents the execution of such a plan,—it will only be an instance of the gradual progress by which all improvements must advance,—and men must be thankful for what they have, and live in hope of that which they have not.

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THE *Tales of a Grandfather* are so modest in form, and so humble in pretensions, that the public seems scarcely aware of their being an addition to the classical literature of the country, as great, almost, as any single work their illustrious author has ever written. The style is pure, the composition exact, and finished to a degree not usual with his rapid pen; and numerous passages might be adduced, in a vein as beautiful as even that of Peter Pattieson's *Introduction to Old Mortality*. The strength which hides itself under ease and urbanity, and the philosophy which communicates in a sentence matter of reflection that might be expanded into a page, are exemplified as remarkably as in Hume; whose history the author may be presumed to have had frequently in his hands of late; and the careless graces of whose style, which threw Gibbon into despair, sir Walter Scott has proved it not impossible to rival. There are, besides, in the narrative, the living truth and descriptive power which have been in turn supposed to distinguish the works of contemporaries by their presence, and of remoter writers by their absence; and which make this series of "*Tales*" a much closer approximation to Herodotus and Thucydides, than is to be found in any other modern historian. Whilst the antique stories of the Macleans, Macleods and Macdonalds of the Isles; the Farquharsons, Macintoshes, Stuarts and Gordons of the Highlands; and the Johnstones, and Maxwells, and Scotts of the Border, are told with Homeric simplicity and grace;—

the butchery of Glencoe, in which the 'Glorious and Immortal' is treated with more lenity than he deserves, is related as though the author, like Thucydides writing the history of the Corcyraean massacre, had received his information fresh from the parties engaged in the bloody business;—and the campaigns of Montrose and Dundee—Kilsyth and Killiecrankie—though more briefly and cursorily treated, are as picturesque, animated and military, as the expedition of Xenophon. And what among historians is peculiar to sir Walter Scott, there is a furtive and suppressed humour occasionally lurking in the close of a paragraph, which, without violating the sobriety of the narrative, betrays the biographer of douce Davie Deans and Dandie Dinmont, under the dignified guise of the national historian.

It may be remarked, that the lower the author has descended the stream of history, the more closely have his stories become connected. In the last series, though favourite subjects are treated at a length disproportioned to the space occupied by the whole narrative, yet the general view of the times is complete enough to entitle the work to be considered rather as a regular history than a collection of anecdotes. And not only does the narrative flow in a channel of more uniform depth, but what there was of childish quaintness in the First Series is put away; nor are there any more paragraphs beginning, "Now it happened in this good king's days"—or, "Now there reigned at that time a very good king"—or, "Now there lived at this time three old women"—or any other the like imitations of old story-books. Mr. Littlejohn has grown in understanding as in years, and his grandfather no longer finds it necessary to give his narratives a flavour of the fairy tale in order to win his pupil's ear. The change in the style and in the choice of matter, as well as the more regularly historic conduct of the subject, have been chiefly, no doubt, occasioned by the different character of the times under review—less favourable to the anecdotic method of illustration, and more deserving of a regular developement. Happily, we have got out of the days of sheer violence and brute force, and "sixteen stabs in the back," into an age, when, though blows, and wounds, and death, were sufficiently rife, yet the world had begun to be actuated by better principles; and a man professed to give a wiser reason for knocking his neighbour on the head, than that his neighbour's great grandfather had done the same by his great great unole. The philosophy of history, indeed, is infused into the latter series, to a degree which has diminished the attractiveness of the work in the estimation of the round-cheeked master of thirteen years, who loves the picturesque of history much, and its philosophy

not at all. But it is wisely done, to anticipate, by a year or two, the more complete developement of the pupil's faculties; for, if portions are at present uninteresting or unintelligible, that which is capable of being understood and relished will not be the less liked for being picked out of matter less attractive, and a particle or two of instruction cannot fail of adhering to and being swallowed with the lump. At any rate, it is better to be above the comprehension of the boy than beneath it. No works take so strong a hold of the reader as those at which he has been permitted to nibble ere he was able to bite;—a truth which will be acknowledged by all lovers of Shakspeare for example, who have had the good fortune to be early introduced to him, and have enjoyed his scenes of war and debate long before they were capable of appreciating his humour.

The author has brought his historic sketch down to the Union of England and Scotland; at the close of which he hints a promise to conduct his reader through the ensuing period; and the emancipation of America, and dawn of the French Revolution, appear to be the natural limit to Series the Third. As his pupil will be soon entering into years capable of more regular application, and the period is one of great diversity and complexity, it is to be devoutly hoped that sir Walter Scott will apply himself to nothing less than an adequate history of an age which, strange to say, has hitherto passed without an historian. Hume ends with the Revolution in 1688, and he has sown so many tares in English history, that the abler hands of this day have been too much occupied in weeding his pages to get below the same epoch. The campaigns of Marlborough, the administration of Chatham, the memorable 1745, and final pacification of the Highlands—the author's favourite ground—and the American war, which have never yet been narrated by a classic historian, appear to have been purposely reserved for sir Walter Scott. If, after that period, he would undertake the “Memoirs of his own Times”—Fox and Pitt, Burke and Sheridan, Nelson and Wellington—the throbs of the French Revolution, as felt in this country, and the throes of the Great War—the parties, the passions, the heats and the madness—*stultorum regum et populorum ætus*—we should have the transcript of one of the most remarkable periods of the world by one of the most remarkable minds in it. And would he but relieve the tale of political strife and debate by the literary history of the times—Byron and the rest of his contemporaries, and, above all—himself—his own career, from the first lay to the last romance—the world would ask no more—at least till his untiring pen was at liberty to start afresh.

It would be easy to fill up the remainder of the paper with

passages to illustrate what has been said, and justify the eulogy. But the "*Tales of a Grandfather*" are in the hands of every body, and each reader's recollection will supply the illustrations.—It will be a more useful, though less agreeable, task to point out what is exceptionable in the work under review; and to shew where, in what manner, and to what degree, the prejudices of the partisan have interfered with the duties of the historian.* Veneration for the author must not be allowed to induce blindness towards the defects of the politician; the two characters are distinct; and having attempted to do justice to the first, the remainder of this article will be devoted to the consideration of the other.

That a stricter inquisition into a work so unpretending may not subject the inquisitor to the imputation of racking a butterfly, it may be proper to state the reasons which led to it.—Whatever is written by sir Walter Scott is read by every body who has leisure to open a book. If sir Walter Scott wrote but a ghost story, or a fairy tale, it might become the guardians of public opinion to examine it. The present work is particularly calculated to gratify the taste, and captivate the imagination of youth; so that whether the reader's liability to receive an impression, or the author's power to make one, be considered, it is of the utmost importance that the impression should be favourable to the cause of human happiness. And though the work makes no pretension to be considered as a regular history, it is well known to every one who has read it, that it does present a general view—more or less correct—of the politics of an age, in which the questions that involve the leading interests of mankind were more formally, as well as vehemently, debated, than in any other period, before or since, of English history.

The closest examination of this Series, cannot charge on its author any great sins of *commission*. In the mention of the political and religious disputes which agitated both kingdoms, almost every vital question is conceded to the cause of good government; and that sometimes with an explicitness, honourable to one whose predilections are known to be so devotedly on the side of those who, in their time, were the authors only of misgovernment. In relating the actions, and discussing the characters, of individuals, the writer, who in his historical romances, thought it no sin to paint men, not as they *had* been, but as he *wished* them to have been, has set a guard over the partialities, with which the course of his own early studies has unfortunately, but almost necessarily, inspired him. In this work, designed for the amusement of a

boy, we have, on several important points, a record of opinions, which, if the modern Tories pay that respect to the chief ornament of their party that is paid to him by the rest of the world, must prevent their ever relapsing into the 'conscientious slavery' which has often, heretofore, made them the advocates and panegyrists of tyranny and bigotry. Sir Walter Scott has not pushed the ark of the good cause forward;—but he has put an obstacle in the way of its receding into that mire, from which the exertions of liberal minds have by downright force of evidence succeeded in rescuing it.

But if there are few sins of commission, there is ground enough and to spare, for founding an accusation of *omission*.—Sir Walter Scott has contrived to tell the truth, so as least to serve the cause of the truth. The iniquities of government, and the grievances of the people, are related in terms exquisitely adapted to soften down the ugliness of the one, and to conceal the extent and exasperation of the other. Like those singularly gifted persons, who can say the severest things with the most unconscious air, and frustrate resentment, by their apparent innocence of meaning—his language in the relation of government abuses is so even, and indifferent, that a young reader, unless gifted with premature powers of reflection, will be in some danger either of overlooking the abuses altogether, or of mistaking them for inevitable accidents. Though the author's predicament of having to relate acts of aggression, with a secret leaning to the side of the aggressor, has not betrayed him into the gross sophistry and unfairness of Hume—it has nevertheless prevented his calling forth the feelings of the reader on the proper occasions, and directing them in the right channel; and though not defending what he relates, or suppressing what he cannot defend, he has been unable to break in his language to cordiality with the oppressed, or to prevent its being indulgent to the oppressor. Thus the reader is perplexed with a strange feeling, that the latter, though confessedly in the wrong, is, after all, the party to be preferred;—and that the former, though avowedly aggrieved, was still unaccountably to blame. At the same time, when he has recorded mal-practices and oppressions too flagrant to be overlooked, the censure generally stops short at the subaltern agents, instead of striking directly at the authors of the iniquity. And at no time has he made a just application of general principles; but left the particular cases which should have been referred to them, to stand as isolated facts, incapable of being reduced under any universal, and at all times applicable, rule. The *Tales*, in short, are nicely calculated to maintain

their author's character for impartiality with the least possible damage to the party and the prejudices which he loves.

An historical work composed for the instruction of youth, should, above all things, be careful to point out what is commendable, and what reprehensible, in the actions recorded.—The work, in this respect, falls far short of the character of a good instrument of education. Censure and commendation are often not dealt out at all, or are not adequately explicit; and sympathy is wanting with the interests, the characters, and the principles, with which it is for the good of mankind that every man should sympathize.

A few passages of a political tendency, taken without much selection, will serve to illustrate what may be considered to be the defects or blemishes of a beautiful work; and to each of these passages, it may be useful to append a brief commentary.

“The three kingdoms formed by the Britannic Islands came into the *possession of one sovereign*.” In a work designed for the edification of a very tender age, it is not hypercritical to object to the use of certain archaisms calculated to convey erroneous notions. There is not the remotest analogy between the case of an heir entering into possession of his estate, and that of a prince succeeding to the first magistracy of a nation. The misconceptions of former ages on this subject have been long rectified; and the forms of speech flowing from them should likewise be exploded.

“But Master Littlejohn may ask me what I mean by the *Progress of Human Society*.”—It is unlucky that the young reader should light, at starting, on the most difficult piece of ground in the three volumes;—nevertheless, the author carries him through with tolerable success; and—as is observable throughout the work—without sacrificing the integrity of historical composition, he happily accommodates himself to the intellect of the child. In two points, however, the explanation he has proffered of his meaning, is rather popular than correct. The monarchical and republican forms of government cannot be traced to the origin which is here assigned to them. Monarchy is born of conquest, not of voluntary submission; and republicanism springs out of the ashes of monarchy;—at least such has been the foundation of all the governments of either class to whose beginnings we can ascend; and it is the historian's duty to state what is known, not what it is possible to imagine. The authority described in the text as rising in a community of savages is not monarchy but patriarchal chieftainship, the foundation and cement of which, consist in relationship by blood.

‘For instance, when three or four wandering families of savages have settled in one place, and begun to cultivate the ground and collect their huts into a hamlet or village, they usually agree in choosing some chief to be their judge and the arbiter of their disputes in time of peace, their leader and captain when they go to war with other tribes. This is the foundation of a monarchical government. Or, perhaps, their public affairs are directed by a council, or senate, of the oldest and wisest of the tribe ; this is the origin of a republican state.’

It has been usual with political writers, under the idea of conciliating for it additional sanctity, to confound monarchy as known to us, with the patriarchal government, and to consider it like the latter as but an extension of the parental authority. But it rests on a totally different foundation—namely, the power of the sword in the first instance, and subsequently that of the law—which, however, is only power acting through the instrumentality of a cord, instead of a cleaver—and the struggles to settle monarchy on this last basis constitute the chief part of the civil history of every kingdom which has made any considerable advances in political melioration.

The other fiction comprised in this account of the Progress of Civilization respects the origin of aristocracy :—“Some men are wise, and skilful, and, distinguishing themselves by their exploits in battle, and their counsels in peace, rise to the management of public affairs, &c.”—the apparently intended inference from which is, that talent and wisdom are the foundation of the Court Calendar. Distinction, of the kind here spoken of, is doubtless acquired in the earliest states of society ; but it dies with its possessor ; and the son may be as low in rank as the father was high, or as high as the father was low. A permanent aristocracy wherever we can descry it in *ipso initio motus*, is to be seen originating in conquest and following close at the heels of monarchy. Persons not originally members of the privileged class, afterwards force their way into it by dint, it may be, of superior merit, but the foundation of a titled aristocracy is violence ; the fruits and privileges of which being transmitted by hereditary succession, perpetuate the distinction. If it is worth while giving the boy any views at all on these subjects, it must be worth while to give him correct ones ;—it can be of no advantage to impose on him the trouble of rejecting a fiction.

After recounting in his admirable way the heart-burnings and bloody quarrels between James’s old subjects, who thought that too much could not be made of kith and kin—and his new ones, who looked with jealous eyes on the swarm of northern locusts that had settled among them—the author proceeds to explain

the nature of James's attempt at a union of the two countries, by a review of the political condition of each at the period of the union of the crowns.

'Though the body of the people [of Scotland] had not the same protection from just and equal laws, as was the happy lot of the inhabitants of England, and were less wealthy, yet the *spirit of the constitution* possessed all the freedom which was inherent in the ancient feudal institutions, and it was impossible for the monarch so to influence the parliament of the country, as to accomplish any considerable encroachment on the privileges of the nation.'

This difference in the political aspect of the two countries might have been put in a manner more precise and intelligible. Ever since the foundation of kingship and aristocracy in Britain, the two powers had been incessantly conflicting for the privilege of oppressing the community. In England the power of the crown had prevailed. In Scotland, where no civil wars had broken their strength, the nobles still preserved in full the power to oppress vested in them by the feudal institutions. The property and privileges of the people, in the one country, lay more exposed to the aggressions of the monarch; in the other, to those of the aristocracy; and James, who had practically felt the difference, naturally wished to put his old kingdom on the happier footing of the new. The author gives him credit for a sincere wish to advance the interests of his subjects; but his merit consisted simply in seeing and being disposed to advance his own, with which, in the present instance, those of the people happened to coincide. This less liberal interpretation of his motives is warranted by the fact, that while the antipathies of the two countries soon induced him to give up his project of a political union, which promised to be of advantage to his subjects as well as to himself,—he was not to be prevailed on by any manifestations of repugnancy to abandon his scheme of a religious uniformity, which offered no prospect of benefit to any but himself.

In relating the struggles of episcopacy for a footing in Scotland, and for universal empire in England, it is curious to remark how the author, without summing up with any striking unfairness, contrives to convey an impression that, after all, there was something unreasonable, or at least not commendable, in the resistance made by the Presbyterians. The Five Articles of Perth had, he says "*decency* at least to recommend them," and did not involve any matters but what "might be dispensed or complied with, without danger to salvation." Notwithstanding "the *moderate* character of the innovations," they were met by the Presbyterians with "headlong opposition." The "true

Presbyterians *groaned heavily* at the sight of choristers, and singing boys arrayed in white surplices, and *they were in despair* when they saw his Majesty's private chapel adorned with pictures representing scriptural subjects."

The author has here in some degree countenanced the egregious fallacy of Hume—that the merits of the struggle between the king and the people are affected by the greater or less importance of the innovations attempted to be forced on the adoption of the latter. It is a law of human nature that men shall be scrupulous with regard to any object, exactly in proportion to the value they attach to it; and if an over punctilious nicety is pardonable in any case, it surely is so in one which is supposed to involve the great interests of the eternity hereafter. If therefore in the alterations proposed by the king, the Presbyterians conceived they saw a tendency to a worship which they had abandoned as idolatrous, and by their remoteness from which they were wont to measure their approximation to perfect purity—their resistance was not only devoid of blame, but necessarily resulted from the tremendous nature of the interests at stake. And if the trivial character of the observances to which they objected be a ground for ridiculing the opposition of the Presbyterians, there is at least equal reason for ridiculing the pertinacity of the king, who not only paid the like undue regard to trifles, but insisted on society's conforming itself to the nicety of his individual taste.

Charles I is liable in this respect to the same imputation of weakness, although in his case accompanied with a degree of criminality greater in proportion to his obstinacy. "Charles," says the author, "was peculiarly *attached* to the rites and ceremonies of the church [of England], the observance of particular forms, and the use of pontifical dresses."—"Charles omitted no opportunity of pressing upon the bishops [his father's Scotch bishops] the splendid vestments of the English church. This alteration of habit *grievously offended* the Presbyterians, who saw in it a farther approximation to the Romish ritual,"—and who, on that account, could not help being aggrieved. In Charles's partiality for splendid clothes and gorgeous ceremonies, no more than in the predilection of the Presbyterians for plain dresses and simple forms, was there aught reprehensible or aught commendable. One man may choose to wear high-heeled shoes and another low, and both be without offence; but if, not contented with the indulgence of his own taste for high heels, the wearer applies himself to constrain the other to wear them too, it is certain he commits an act of pure and wanton oppression. Paul of Russia con-

strained foreigners in St. Petersburg to carry on their head a certain description of cocked hat; and the sultan of the Turks bastinadoes the hapless rayahs who venture out in slippers of the orthodox colour; but nobody has ever doubted that the Tzar was a madman, and the sultan a tyrant. The principle of the Tzar and the Turk is the same as that of Charles; the difference being only in the outward and visible sign. The Turk says—You shall not wear yellow slippers; and Charles said—You shall wear—not yellow slippers but lawn sleeves. But the tyranny of these lords of nations, restricting a man's choice only in his hat and slippers, was venial compared with that of Charles, in compelling men to wear habits and to observe forms, which they conceived to be displeasing to the Deity, when supposed to be more immediately in his presence.

The tyranny of the king moreover did not affect only the subject's outward man, it invaded the sanctuary of his breast—a refinement beyond the contemplation of the Tzar or the Turk. It would be deemed a stretch of tyranny atrocious beyond measure to constrain men to walk in strait jackets; yet this might be thought an ordinary exertion of power compared with Charles's attempt to restrict the religious aspirations of his subjects, and to prescribe to them the terms in which they were to address the Sovereign Disposer of all things.

The young student of history, unless he be in the habit of reflecting more deeply than is usual with those of his age, will scarcely be led to surmise the true nature of James and Charles's enterprise, from sentences like the following:

'All this, and every thing like an established and prescribed form of prayer, in garb or decoration, was in their idea, a greater or less approximation to the practices of the Church of Rome. This was, indeed, *mere prejudice*, but it was a prejudice of *little consequence* in itself, and James ought to have rather respected than combated feelings connected with much that was both moral and religious, and honoured the right which his Scottish subjects might justly claim, to worship God after their own manner, and not according to the rules and ceremonies of a foreign country.'

The merits of the question would have been better understood, if the author had briefly said:—This was indeed mere prejudice, but why were the King's prejudices to weigh against the prejudices of a waggon-load of Presbyterians? If it is said—because he was king,—it is only a *petitio elenchi*, for which nobody is the wiser.

"The king had kept firmly in view his father's favourite project of bringing the Church of Scotland, in point of church government and church ceremonies, to the same model with

that of England ;"—which is the author's way of stating the fact, that the king had kept firmly in view his father's favourite project of doing violence to the consciences and invading the dearest privileges of a whole people.—By his minister, Laud, he attempted "to introduce into the divine service of the Church of Scotland a form of Common Prayer and Liturgy, similar to that used in England. This, however *reasonable* an institution in itself, was at variance with the character of Presbyterian worship."—It is idle to talk of the reasonableness of the book ; what the boy's attention should have been drawn to is, the atrocity of forbidding men to pray to God in what terms and with what forms, they judge it most proper to employ.—"*Right or wrong*, the people in general were *prejudiced* against the innovation, and yet it was to be attempted without any other authority than that of the king and the bishops."—Here again the boy will be in danger of receiving an impression that there was something unreasonable in the opposition of the Presbyterians. It should have been stated in the first place, that the innovation attempted, was nothing less than an interference between God and his creatures ; and secondly, that whether the book of Common Prayer were reasonable or not, it was very properly and laudably resisted by those who thought it was otherwise.—"And yet it was attempted to be done without any other authority than that of the king and the bishops." An avowal of the delict intended to be taken for an excuse. "Upon the whole, this new and most obnoxious change in the form of public worship, throughout Scotland, where the nobility were known to be in a state of great discontent, was very *ill-timed*."—This sentence is calculated to lead away the boy's attention from the principal consideration, and to fix it on one of comparative unimportance ; and it is odds but he will conceive the criminality of the proceeding to have consisted not in its unreasonableness, but its unseasonableness. In the like doubtful and dangerous language, the tyrannical and wicked attempt of Charles is shortly after termed "the rash and fatal experiment." A highwayman was tried for assaulting a traveller on the high road, and making an ill-timed attempt to take away his watch, of which rash and fatal experiment being found guilty, he was sentenced to be hanged.

"It will be hereafter shown that an endeavour to extend and heighten the edifice which his father had commenced, led the way to those acts of violence which cost Charles I his throne and life."—The metaphor would have run more correctly thus :—"*the endeavour to pull down, and alter part of a house not his own, led the way to a resistance on the part of the* .

owner, which cost Charles I his throne and life. In favour of this metaphor, it may be observed, that it has the advantage of shewing what the other suppresses—that the first act of violence was committed by Charles, and led as directly and necessarily to the others which cost him his life, as the robber's breaking into a house leads to his being shot by the owner.

In treating of the dispute between the king and the Scottish Presbyterians, the author restricts himself to insinuating an imputation of unreasonableness against them. In touching on the contemporaneous struggle which the king maintained with the English Puritans, he expresses himself in terms slightly dyslogistic of the latter, and—what he did not venture on in the Scottish cause—insinuates an apology for the former.—“Countenanced by Charles, he [Laud] resolved to use all the powers both of the civil and spiritual courts, to subdue the refractory spirit of the Puritans; and enforce compliance with the ceremonies which he thought so essential to the well-being of the Church.” It would be accounted a strange abuse of language to talk of the refractory spirit of Tell, or Bruce, or Latimer, or Leonidas. Nor does it in the least affect the merits of the question, whether Latimer be bid to celebrate mass, or the Puritan commanded to make genuflections; since to submit to a tyrannical injunction in a small matter, is to forfeit the right to contest it in a great one. Did the author intend to say—“what Laud called the refractory spirit of the Puritans, but which, my dear boy, was no other than a spirit of resistance to unjustifiable interference with concerns the most sacred?”

The error of Laud's judgment seems proffered here also by way of apology for his conduct; but though mistake may be an adequate excuse for a man's simply declining for himself any particular ceremony, it is none for his attempting to force it on another. Or, if Laud is to be justified for enforcing these ceremonies, as being, in his judgment, favourable to salvation; *a fortiori* the Puritans were justifiable in rejecting them, as being, in their opinion, detrimental to the same. Here also may be remarked the absence of the slight vein of ridicule, which the author has allowed to creep occasionally into his notices of Puritanical or Presbyterian preciseness.* But certainly a more eminent subject for ridicule could

* Such for example, as the “true Presbyterian groaned heavily”—“the triumphs of the good cause over Popery and Prelacy”—“the clergymen [from Scotland] appeared equally instructive to the London citizens and their wives,” &c.

not well be imagined, than a learned priest,* so persuaded that the cause of religion was wrapped up in gowns and scarfs, as to meditate persecuting all the world into the same opinion; unless it be a powerful monarch, subject to the same persuasion, and bent on the same meritorious achievement.

To object that Charles and Laud did not fall into this gross superstition, is to vindicate their understanding at the expense of their hearts. For either they conceived sleeves and surplices, fixed forms of prayer and genuflections, to be essential to salvation, or they did not. If they did, what idea is to be conceived of their understanding; if they did not, but valued them at their worth, as matters of taste and predilection, what is to be thought of their temper?—in the one case they were bigots, in the other tyrants. If by the “well-being of the Church,” is to be understood, not the well-being of religion, but the well-being of the Church Establishment—it should have been explained, that, under pretence of consulting their immortal weal, the king and his bishop cut off men’s ears to throw a fence round their own temporalities. And if this tenacity in trifles supported by fine and imprisonment, was adopted as a rule of policy, because those who resisted the introduction of new rites into the church were the same with the opponents of the king’s arbitrary acts in government;—why was the opportunity foregone of pointing the young reader’s indignation at a prince and a prelate thus combined to make religion the tool of arbitrary power?

‘If men had been left to entertain calm and quiet thoughts on these points, they would in time have discovered that, having chosen what was esteemed the most suitable rules for the national church, it would have been more wise and prudent to leave the consciences of the hearers to determine whether they would conform to them, or assemble for worship elsewhere. But *prosecutions, fines, pillories and imprisonments employed to restrain religious opinions*, only make them burn the more fiercely; and those who submitted to such sufferings with patience, rather than renounce the doctrines they had espoused, were counted as martyrs, and followed accordingly.’

This is written with the mild good sense that charac-

* The remark of Queen Elizabeth, to the Bishop of St. David’s, might have been more appropriately cited here:—“I find the most learned clerks, are not always the wisest men.” Laud is introduced in this work, as a man of talents and learning. If by talents are meant political ability, no man that ever possessed any, contrived so effectually to vindicate himself from all suspicion of having it. If the author intended only scholarship to be understood, he has let pass an excellent opportunity of enforcing the good maxim, the cobbler to his stall, and the divine to his cure.

terises the author, and might have been held enough for the occasion, if the work had not been especially intended for an age easily deluded, and which may be apt, from finding persons who could employ such means for such purposes so leniently spoken of, to lose the just horror which fines, pillories and imprisonments used in support of religious doctrines ought to inspire. This effect on the young mind is the more likely to ensue, since its attention is directed rather to the impolicy than to the atrociousness of the interference; and the reader invited to reprobate, not the criminality of attempting to restrain religious opinions at all, but the error of attempting it by means which "only make them burn the more fiercely." If the right principle had been inculcated, the pupil would have had a guide to direct aright both his theories and his practice in other cases, but, as it is, he is left at sea without compass, and may, for all his grandfather's mild good sense, become a persecutor or the advocate of persecution, to the extent which the meliorated temper of the times may allow. And, as on the tyrannical and bigoted authors of this persecution the author's censure is lightly laid, so the victims of it do not escape without an undeserved sneer:—"And those who submitted to such sufferings with patience rather than renounce the doctrines they had espoused, *were counted as martyrs* and followed accordingly"—Were they not in reality martyrs?—What is a martyr? A martyr is what the author has defined him to be—a person who suffers patiently for conscience sake. In this sense it is, that the apostles were martyrs; and that Charles I was *not* a martyr. The following, in fact, is the sum and substance of this curious sentence:—"The martyrs to such persecutions were counted as martyrs and followed accordingly."—Is it ingenuous—worthy of a great and noble mind—to impute hypocrisy or insincerity to men, the genuineness of whose principles was proved by fire, and to whose resistance the author owes perhaps that he has at this day been able to write so many free opinions without fear? But the sufferers under the king and his bishop were to be allowed only to be martyrs in the opinion of the vulgar, because the boy might possibly have distressed his grandfather with the question—What are they to be counted, who make martyrs?—To which the grandfather must have been reduced to reply,—"*The crime of Charles and of Laud, my dear boy, was the crime of Mary, of Philip, of every other persecutor, Pagan, Papist, or Protestant. For though Charles and Laud did not absolutely burn men in Smithfield—only cutting off their ears, and throwing them into dungeons, to endure a slower torture—yet on the other hand they had less excuse in proportion as the dif-*

ference in opinion and practice between them and their victims was slighter. Mary and Philip—sincere bigots—thought it better for men to burn in Smithfield than in hell; but Charles and Laud acknowledged that they were contending for non-essentials, and were more inexcusable accordingly.”

In the discussion of temporal affairs the reader is perplexed by a like contrast between the leniency of the language and the heinousness of the fact; and by the same dyslogistic mention of characters and conduct which, on the ground of the very things stated, call for commendation. Hugh Littlejohn, esq. when he comes to years of reflexion, will be in danger of being conducted to some very strange conclusions in morals as well as in politics. He is told, for example, that king James “indulged his prodigality to worthless favourites,” by “extorting from parliament large sums” (*oui, Sir Walter Scott s' est servi de ces mots-là! j'en ai frissonné*) which he “misapplied” or diverted to other uses than those for which parliament had granted them. Moreover it is said that when such sums could not be wrung from parliament, James resorted to the practice of taking bribes in return for grants of monopolies, by which the prices of the common necessities of life were so raised as to induce great suffering among his subjects. When Hugh Littlejohn comes to reflect on the nature of these charges, he will perceive that James is accused of the crimes known in common life by the names of extortion, bribery, embezzlement, and obtaining money under false pretences—all which he well knows, when brought to light, entail on the perpetrator punishment and infamy. Yet he will read, that James was a “good-natured man,” and “naturally a lover of justice;” though somewhat addicted to “foolish indulgences,” and to “indirect practices.”

If it should be set up in defence of James, that the age acknowledged in the king a right to extort and peculate,—so signal an instance as that of conceiving crime to lose its nature in a particular person, or of allowing a particular person the privilege of committing it, deserved to have been illustrated at length, along with witchcraft, feudal revenge, and the other barbarities of the olden time.

As from the mode in which the character and conduct of James are spoken of, the boy is in danger of concluding that vice in certain cases is not vice, nor crime crime; so from the way in which the character of his son is summed up, he will run the risk of inferring, that common humanity is, in some instances, exalted virtue. Charles I is described as “a kind father, master, and even too affectionate husband, permitting the beautiful

daughter of Henry IV of France, to influence his government too much." This, the worst fault that a man in the king's station can commit—the sin of misgovernment—is made a mere deduction from the merit of loving his wife, which the meanest hind in Britain may possess in equal perfection; but the affection which outrages duty is justly called dotage. "He was even too affectionate a husband, permitting his beautiful wife, the daughter of alderman Turtle, to play high, run into debt with his tradesmen, starve his servants, and beggar his children." Who in a case like the above, would accept the plea of affection for the wife as an excuse for the husband? Yet in point of criminality, what is the crime of alderman Turtle's son-in-law, compared with that of Charles I, who allowed a foreigner, ignorant of the people, their laws, manners, and temper—of a different religion, and that an obnoxious one—a woman withal, ignorant, shallow and silly, to interfere in the government of a great kingdom, and to tamper with the interests of millions?

What conclusion can the reflecting reader form, but that the virtue of loving a wife and being kind to his children, which never yet availed to save the forger from the gallows, or the robber from the hulks, is to be accepted in abatement of censure, when a much greater crime—that of misgovernment—is to be judged; and consequently that the nature of virtue varies with the rank of the party, and what is mere humanity in a person of low degree, is transcendent merit in a prince.

It is as sovereign and magistrate, and not as a husband and father, that Charles I makes his appearance in history. Private virtues may be pleaded in conclusion, and allowed to have their due effect in mitigation of censure; but it is by his merits or demerits, in his public capacity, that the king is to be tried. No just judge would allow evidence to be given as to character, before matters of fact had been duly investigated. And he who writes for the edification of youth, ought to consider himself as sitting in judgment on the conduct of every person prominent enough in history to furnish ground for inculcating a moral or political truth. He must give a verdict according to evidence, and explain the rule by which he judges; and if a person is to be tried for his conduct as a monarch, no impartial judge will begin by prepossessing the reader in behalf of the man.—"So good a man—so well-intentioned,"—what is this but begging the question, and procuring a verdict in favour of the character under consideration, on grounds totally alien to the real question at issue?

This subject suggests the mention of an opposite fault, more inconsistent with the benevolence of the author's character,

and equally unworthy of him as a philosopher. The great mass of population, congregated in towns, and laboriously employed in the manufacture of luxuries for the enjoyment of their more fortunate fellow creatures, are seldom spoken of, but by some term of disparagement, such as the mob, the rabble, the rude multitude, whose taste is for tumult, and who love only vociferation. This Coriolanus-like contempt for a large and important class of his fellow men, has made the author lose sight of an eminent opportunity of doing justice to the neglected many, as compared with the wealthier few — “The resistance to the measure” [the introduction of the Common Prayer-book into the Presbyterian service] which was at first tumultuous, and the work of the lowest order, had now assumed quality and consistence. More than thirty peers, and a very great proportion of the gentry of Scotland, agreed to act together in resistance to the further intrusions of prelacy.” The “disorderly multitude” after their breeding and manner, had resisted with missiles and stones; but their resistance was dictated by disinterested motives, and if it was fanaticism, at any rate it was not selfishness. But “the nobility remembering, they had been deprived of their tithes, that their possession of the church-lands was in danger, saw with great pleasure, the obnoxious prelates incur the odium of the people at large.” — The author does not hesitate elsewhere to ascribe the resistance of the aristocracy to this mercenary motive. The opposition of the nobles might be more decorous than that of the populace, but it was certainly less honest; and Jenny Geddes, the green-stall keeper in the High-street, who flung her stool at the dean of Edinburgh’s head, was in point of principle a more respectable adversary than the high-born and potent baron of Buccleugh.*

“Meantime, while the king negotiated and procrastinated; Scotland, though still declaring attachment to his person, was nearly in a state of general resistance.” After abolishing episcopacy, and depriving the bishops of their power — “the Covenanters took arms to support these *bold* measures.” — Boldness in a good cause is virtue; — the measures of the Covenanters were not only bold but virtuous, and should have been so termed. But it is not made clear, as it ought to have been, which was the side — not that first absolutely took up arms — but that reduced the dispute — to the necessity of a decision by arms. Here is a great question, and a tangible one, to exercise the judgment of the boy. A war is kindled — death and devastation

* Vol. i, 280.

follow—somebody must be to blame—and who ever is to blame, is culpable in the extreme. The question would have been fairly and explicitly stated to him this:—Charles aimed at doing violence to men's consciences, by forcing on them forms of prayer abhorrent to their principles. Rather than submit to an interference between their consciences and God, they manifested an intention to resort to arms. To lay this spirit and reduce them to tranquillity, it was only necessary for Charles to cease to demand what was unjust. He negotiated and procrastinated, but did not abandon his projects of usurpation. On whose head lay the guilt?

“The presence of numerous clergymen kept up the general enthusiasm, and *seemed to give a religious character* to the war.” What is a war in defence of religion but a religious war? The presence of a number of clergymen does not make a news-room a church, nor a war which is not for religion, a religious war. In some measure the war was not a religious one; to wit, on the part of the nobles who embarked in it to revenge the loss of their titles and to preserve their church-lands.

“The Scottish parliament demanded several privileges, necessary, *it was said*, to freedom of debate.” Some privileges undoubtedly, are necessary to freedom of debate; as for example, security against arbitrary imprisonment. Charles had been in the habit of clapping up in prison those who ventured to use freedom in debate. Sir John Elliot, of the English parliament, died in prison, into which he had been thrown on the breaking up of the very session that passed the Petition of Right; one of whose clauses provided against such imprisonment.—The General Assembly of the Church had concluded for Presbytery—the form approved by the consciences of a majority of the Scots; and Parliament further required that the Estates of the Kingdom should be convened once every three years;—no extravagant demand; for if the king were honestly minded, he would of himself call them together oftener; and if he were not honestly minded, they were in the right to insist that their meeting should not be left to the mercy of his conscience.—“On receiving their demands, Charles thought he beheld a formed scheme for undermining his royal authority, and prepared to renew the war.” The Scots stipulated for freedom of conscience, liberty of speech and a regular convening of parliament; and Charles saw only a scheme to dethrone him. “They foresaw that if not now withstood, he was most likely to make himself absolute master of their rights and privileges in secular as well as religious affairs. They therefore joined in such measures, as procured a general resistance to the arbitrary power so *rashly* assumed by king

Charles." Still harping on the impolicy—the rashness of the wrong! What, if Massinger had made them talk in the play, of the "arbitrary power so rashly assumed by sir Giles Overreach." Sir Giles, however, proposed only to possess himself of his neighbour's property—he did not meditate fingering their consciences. Charles had designs on both property and conscience;—which is all that is meant by "making himself absolute master of their rights and privileges in secular as well as religious affairs."

The English parliament not chusing to assist the king in suppressing his Scotch rebels, and thereby to strengthen his hands—already heavy enough—against themselves; Charles was obliged to have recourse to "compulsory loans," and other "indirect methods of raising money." Charles might have pleaded, as has been seen, the example of his father's proneuess to these "indirect methods;"—a plea which may entitle him to a degree of commiseration, but does not amount to a vindication. It never availed to save a felon from the edge of the law, to plead that he had done only what his father and grandfather had done before him. If the people were so barbarously ignorant in former times, as not to know that they were injured when they were plundered, their former ignorance was no reason why they should not resist these indirect practices, when they had come to years of understanding. The knowledge of any age is open to all of that age—to the king as to the commoner; and it is the duty of every man, more especially of every man in power, to possess himself of the information of the times, and accommodate himself to their spirit. If with his eyes closed to what his contemporaries see, he sets himself to swim against the stream,—he may be pitied for his infirmity, but cannot be excused for his obstinacy. *

"The English fled at the skirmish of Newburn on the Tyne, with a speed and disorder unworthy of their national reputation." The English fled with the speed of men whose hearts were not in their business—who did not choose to fight in a cause they did not approve—who were not disposed to cut the throats of the Scots, for only striving for what they were struggling for themselves.

In relating the civil dissensions between king and parliament, the same tendency to the use of vague or palliative terms in the one case, and of dyslogistic on the other, which has been noticed above, grows rather more decided.—"Arbitrary courts of justice afforded the king the means of punishing those who opposed themselves to the royal will; but the violence of authority only increased the sense of the evil, and a general

discontent against the king's person began to prevail." To have conveyed the fair impression to the boy's mind, this should have been worded thus:—"Courts of injustice were employed by the king to wreak his vengeance on those who resisted his arbitrary will; but the violence of tyranny only increased the sense of the wrong, and a just discontent with the king's conduct began generally to prevail." "Arbitrary courts of justice" though a common phrase, is a contradiction in terms; the magistrate punishes, but the oppressor takes his revenge; the royal will was resisted because it was despotical; and people were discontented with the king's person, as a man is discontented with the person of one who has extorted money from him and claims a right to extort it.

"The majority of the members were disaffected with the king's government on account of his severity in matters of religion, and his tendency to despotism in state affairs," "Disaffected" is an insidious term, and improperly used;—a ward is not disaffected with his guardian's executorship for the latter's breach of trust, but aggrieved by it. "Severity in matters of religion" is a Hume-ism for ear-cutting, pillory, fine and imprisonment. "Tendency to despotism," implies that the king had not yet reached despotism; but he who had ventured to govern eleven years by his nod, to take people's property at pleasure, and clap up in prison all who objected to surrender it, had made a sufficiently close approximation.

"These *malcontents* formed a strong party, determined to diminish the royal authority, and reduce if they did not destroy the hierarchy of the church."—Plaintiffs in prosecutions for assault, wrongous imprisonment, extortion, intimidation, cutting and maiming, &c., are to be called malcontents on the principles of sir Walter Scott.* For "determined to diminish the royal authority," read—"determined to restrain the aggressions of the king."—"Reduce if they did not destroy the hierarchy." This insinuation savours of anachronism. The Independents who aimed at the destruction of the hierarchy were not yet a party, nor had their opinions relative to church government been broached. The majority in parliament intended to take away the episcopal bench, and put the hierarchy on a more apostolical footing, and so far they were determined to reduce it,—but were notoriously as far from meditating its destruction as their high-church adversaries.—"His partisans were alarmed with the idea that it was the purpose of parliament altogether to abrogate the royal authority, and probably to depose the reigning king."—The purposes of one party must not be measured by the fears of another:—Charles's partisans

were like Saul, "also among the prophets ;" for not a parliamentarian at that time had dreamt of the deposition of the king, much less meditated it.

"Completely successful over the royal will (for Charles did not propose to contend at once with the English parliament and with the Scottish army), the peremptory demands of the Scots were neither light nor easily gratified."—It might be imagined that the parliament and the Scots had united to fall upon the king, instead of having been united by the king's falling upon them.—"Peremptory demands, neither light nor easily gratified."—Men have a right to be peremptory in self defence. For what else had they flown to arms? It does not appear that the Scots insisted on more than was requisite to protect them from a recurrence of the wrongs that had provoked them to resist. Their Convention had passed acts for the establishment of Presbytery and a regular meeting of parliament ; and the Scots required that the king should confirm these acts of their Convention, "with whom, adds the author, he had been at war." A singular hardship this. The Scots—a careful people—required also that the king should pay their expenses, which is no more than in a court of justice, falls on the losing party. Last and bitterest they stipulated that those of the king's counsellors who had advised the late hostilities, should be punished as incendiaries." Two neighbour, allied, half-united kingdoms, have been plunged into war, by the one making an unjust aggression on the other.—If the unjust aggression can be brought home to the instigation of individuals, what punishment is adequate for those who have iniquitously entailed on two nations the horrors of war? The aggression had been committed by Charles ; and if by a prudent principle of law, he was to be held irresponsible ; the law had no such providential clause to screen his ministers, who advised at their proper peril. Either, then, the responsibility of ministers is a chimæra, or the Scots were right in demanding that the ministers should be made responsible, who had counselled the aggressions and the war levied in support of them. "While the Scots were discussing these severe conditions, they remained in their quarters, much at their own ease, overawing by their presence the king, and those who might be disposed to join him ; and affording the opposition party in the English parliament an opportunity of obtaining redress for the grievances of which they, in their turn, complained." This sentence, among a thousand, is a good specimen of sir Walter Scott's ingenuity in a bad cause. The Scots discussed no severer conditions than were neces-

sary to secure themselves against the king's merciful dispensations; they remained in their quarters—much at ease, or little at ease—till the requisite conditions were ratified.—They overawed the king, as the constable overawes a rioter and those who might join in the riot, by planting his staff in their way; they afforded their neighbours an opportunity of obtaining redress, as was right and natural for one party to afford to another, when both alike had been sufferers from the same inflictions;—and the grievances of which the English parliament, in their turn, complained, were as many as a tyrannical government, commencing with the breach of a solemn act, could crowd into eleven years of usurpation.

“Thus the power of the king was reduced within the boundaries of the constitution.”—“Constitution—what is that grand-papa!” It means that the king was reduced to keep his hands within certain boundaries, drawn between them and the purses, the ears, and the persons, of his subjects. But the present act, like the Petition of Right, was itself the constitution, or a portion of it; for what, otherwise, was that elusive, intangible thing, the constitution? The sentence means no more than, that the power of the king was reduced within the boundaries prescribed by the act just passed—an interpretation worth remembering, as will presently be seen.—“A strong party, however, among the members, was determined to be satisfied with nothing short of the abolition of Episcopacy in England as well as in Scotland.” This was not an ungrateful return for the triumphant Puritans to make to Episcopacy, which having lately endeavoured to tread out the sparks of Presbyterianism—in the course of which enterprise many ears and some lives had been lost—ought not to have been surprised that being now undermost it was trampled on in turn. And if the triumphant Presbyterians had quietly put down the mitre, without seeking to raise the skull-cap to the same arbitrary sway over men's consciences, there would have been little room to complain;—more particularly as the errors both of James and Charles had been fomented by what sir Walter Scott calls the “smooth flatteries of the Church of England divines;” by which terms are to be understood doctrines that gave the prince unlimited power to abuse his subjects at pleasure. “And many who did not aim at that favourite point, entertained fears, that if the king were left in possession of such power as the constitution left him, he would find means of re-establishing his tyranny, and perpetuating the grievances which, for the time, he had consented to abolish.” As the word constitution was explained

above, this means, "that if the king were left in possession of such power as the late act of parliament allowed him, he would find means, &c." Now, if the parliament were entitled to limit the king's power by their act in the first instance, they surely were entitled to alter and amend their act afterwards, on its appearing to them inadequate to keep the king's hands from their ears, &c. But if the constitution be taken as understood by sir Walter Scott, for certain aboriginal lines of demarcation that had confined the hands of the kings of England within due bounds,—the parliament may seem to have been to blame, in invading boundaries which experience had shewn to be adequate limitations. But alas! the hands of former kings, Plantagenets and Tudors, had made more free with the person and property of the subject than even the Stuarts. What, then, were these lines of demarcation, and where were they? Nothing and no where, but in the brains of whig lawyers and whig historians. The royal power was a mighty lion, which the barons in old times had cooped pretty closely; but quarrelling among themselves for possession of the beast, it went rampant at large, till, as has been seen, the Commons undertook to cage it. What sort of bars, how many, and of what strength, might be necessary to that end, the then Commons were surely the best judges, who, since its escape from the barons had been the first to catch and confine it.—"If either party could have reposed confidence in the other's sincerity, the concessions made by the king were such as ought to have gratified the parliament." It is hardly fair for sir Walter Scott to put the reputation of the Commons for sincerity on a level with the king's. The Commons had the ground of past experience for distrusting the king, but the king had no ground at all in experience for distrusting them, inasmuch as this was the first time they had come into the possession of power large enough to constitute them objects of suspicion. "Such as ought to have gratified the parliament" must be a phrase borrowed from the political vocabulary of Hume. What ought to have gratified the parliament, it is not easy to say; what ought to have satisfied them is capable of being defined—viz., such limitation of the king's power as would guarantee life, limb, person, and property to the subject, to consult for whose security the parliament now sat, not to seek its own gratification.

"But the strongest suspicions were entertained by the prevailing party, that the king considered the grants which he had made, as having been extorted from him by violence; and that he retained the steady purpose of re-assuming the obnoxious

and arbitrary power of which he had been deposed for a season, but which he still considered as a part of his royal right." Whether sir Walter Scott thinks these suspicions justifiable or not, it is difficult to surmise. From the way in which he has more than once put strongly and unrepvingly forward the suspicions entertained of the king's sincerity by his contemporaries, there is room to conceive that he does think them justifiable. On the other hand this opinion is inconsistent with expressions elsewhere, which seem intended to throw the odium of the breach on the parliament, but from which the justice of their suspicions conceded would exculpate them altogether. But is there a person not absolutely blinded by prejudice, and not altogether ignorant of the character of Charles I, as shadowed forth by his public conduct and his private correspondence, who will lay his hand on his heart and say—He does not believe that Charles I, if trusted by parliament, would have taken the first opportunity to resume all that he had ever considered as appertaining to his royal right, and have satisfied his conscience by some quirk invented, either by his own casuistical genius, or that of his casuistical bishops?

"On the return of Charles to London, the parliament greeted him with a remonstrance, in which he was upbraided with all the real and supposed errors of his reign." Where there were so many real and flagrant errors, it was mere supererogation to impute to him imaginary ones. "At the same time a general disposition to tumult shewed itself, great mobs of apprentices and citizens came in tumult to Westminster." When aggressions committed by government have roused the spirit of resistance in a nation, it is true that they may have called up a devil which it is impossible to lay; but such tumults must lie at the door, not of those who resisted, but of those who compelled the resistance. "The king had been bred up to consider the preservation of the Church of England and her hierarchy as a sacred point of duty." People had not complained of his preserving, but of his attempting to extend the church. To make this a plea in abatement, it should have been said, "he was bred up to consider the forced conversion of all men to the church, as a sacred point of duty." "The numerous classes of Dissenters, enemies of the Church of England." They ought to have been described as persons aggrieved by the Church of England; their's was not the enmity of rivals, but the hatred of the oppressed towards the oppressor. "While matters were in this state, the king committed a great imprudence;"—i. e. he violated the most essential privilege of parliament, by attempting to arrest some of its members, while the House was

in the act of debating. This is like the *imprudence* of forcibly interrupting a trial at law. "The Commons rejected all amicable proposals unless the king would surrender to them the command of the militia; and that would have been equivalent to laying his crown at their feet." If this, as the author implies, were an exorbitant demand,—“it is to be considered,” says Hume apologetically, “that factions being once excited, men can neither so firmly regulate the tempers of others, nor their own, as to ensure themselves against all exorbitances.” The sin, on this supposition, still rests with those whose conduct excited the factions. If security was in very truth unattainable, except by the party which held the sword, the Commons were not to be censured for coveting possession of it; the guilt must lie with the party that had brought on a state of things in which security was to be had only by force; and certainly confidence was not likely to be restored by the apparition of majesty in the House of Commons in the capacity of ‘catch-poll.’ “Before the war broke out, the king had relinquished in favour of the Commons all they had demanded. The ultimate cause of the quarrel was, which party should have the command of the militia or public force of the kingdom;” a remark intended for the purpose of throwing the blame of an unjust war off the king; but the militia was only the last link of a long chain, and it would be as unfair to blame either party for what instantly ensued, on the ground of their conduct in this particular transaction, as it would be for a man to blame his neighbour for a conflagration which commenced many doors from the houses of both. This consideration may suffice to dispose also of the following parallel, which the author has instituted as a fair one between what he conceives to be the errors of the parliamentarians of Charles I, and the Tories of James II.

‘In the great civil war, the friends to popular freedom began their opposition to Charles I, with a laudable desire to regain the full extent of constitutional liberty, but could not bring the war to a conclusion until the monarchy was totally overthrown, and liberty overwhelmed in the ruins. In like manner the Tories of Charles II and James II’s time, remembering the fatal issue of the civil wars, adopted the opposite and equally mistaken opinion, that no check could be opposed to the will of the sovereign, without danger of overthrowing the throne, and by their unlimited desire to enlarge the prerogative of the Crown, they not only endangered the national liberty, but conducted the deluded sovereign to his ruin.’

This is a passage deserving of the reader’s attention; and no better could have been found to illustrate the policy of sir Walter Scott, who, now that the Tories are reduced to confess

error, contends for an equal distribution of blame. But the parallel fails altogether. The friends of freedom began their opposition to Charles I, not, indeed, from any laudable desire "to regain the constitutional liberty" of the Heptarchy, or of the Plantagenets, or even of the Tudors, but from a desire to gain—what the English had never yet enjoyed—freedom in its integrity. From the commencement of this praiseworthy undertaking, the author jumps at once to the war and to the catastrophe—the usurpation of the army—as though the latter were the necessary consequence of the primary undertaking. But the author should have first shewn that the war and its consequences were the result of the parliament's pursuit of liberty, and not of the king's attempts to suppress liberty. The guilt of the war rests with the party which was resisted, not with that which made the resistance. And whichever party was guilty of the war, was guilty of the military usurpation that flowed from the war. If this was the king's party—*cadit quæstio*—there is an end to the case proposed as a set-off to "the opposite and equally mistaken opinions" of the Tories; who, inculcating absolute submission in theory, and stopping somewhat short of it in practice, betrayed James II, as the author says, to his ruin.

A similar derivation of the civil war from the same source—the parliamentary resistance to Charles,—appears in the following passage :

'The danger [of James II becoming absolute] was the greater, that a large proportion of the national clergy were extravagant Royalists, who had adopted maxims utterly inconsistent with freedom. They contended that the right of kings flowed from God, and that they were responsible to him only for the manner in which they exercised it, &c. Such were the base and slavish maxims into which many wise, good, and learned men were hurried from the recollection of the horrors of the civil war, the death of Charles I, and the destruction of the hierarchy; and thus do men endeavour to avoid the repetition of one class of crimes or errors, by rushing into extremes of a different description.'

It is something to have got a distinct affirmation from sir Walter Scott, that the old maxims of Toryism are base and slavish. But if the Royalist clergy had been capable of tracing effects up to their true causes, they might have found the horrors of the civil war, the death of Charles I, and last, but not least in their estimation, the destruction of the hierarchy, flowing properly from the excesses, errors and violence of the monarch, and not from the resistance made to them; and that, therefore, the removing themselves as far as possible, in point of princi-

ple, from those who resisted Charles I, was not necessarily taking a certain means of escaping civil war, and the overthrow of thrones—as proved to be the case. It would be as fair, indeed, to ascribe the dethroning of James, and the civil war that followed in Scotland and Ireland, to the reluctant opposition to the Crown, into which the Tory party, in spite of passive obedience, was driven—as to ascribe the civil war and decapitation of Charles I to the public-spirited men who withstood him, instead of imputing them to their true cause—his own obstinate, and narrow mind.

An interesting question in all these cases of royal excuse is, to ask how many of the defences would be available to the president of a republic;—what protection they would afford him if he took the public money under false pretences, or did the various acts which are the subject of debate;—how far for instance Mr. Maddison would be excused for creating a civil war, by the beauty of Mrs. Maddison, and his attachment to his family. If the amount of the excuse would in this case be nothing, it is proof that when sir Walter Scott apologises for Charles and James, on similar grounds, he does it for the sake of something, which is not common with the chief of a republic. He must consider the right of these sovereigns to do wrong, or of not being subject to censure for doing it, as a cover and a guard for some other interests which he loves, and which he would have as leniently handled. When Dr. Parr's wig was borne upon a pole to him on a Sunday morning, through the parish, it may be assumed that all minor delusions flourished beneath its shade. The power of James and Charles was in the same situation. It was the great and flagrant unreasonableness, which being held sacred, all lesser unreasonablenesses were safe *a fortiori*. In short, this is what our continental neighbours call, the "monarchical principle."

ART. II.—1. *The Gospel of St. John, adapted to the Hamiltonian System, by an Analytical and Interlineary Translation.* By James Hamilton, Author of the Hamiltonian System. Ninth Edition. 1828.

2. *Verbal Analysis of "L'Histoire de la Conjuration contre Venise, en 1628" of St. Real, adapted for teaching and learning the French Language on the Principles of the Hamiltonian System; together with a Treatise on the Conjugation of French Verbs, from the "Cours de Langue Française" of P. A. Lemarc.* London. Longman, Rees, and Co. 1827.

3. *The History of Little Jack, in French and English, adapted for the use of an Englishman learning French, and of a Frenchman learning English, by a Two-fold Key, constructed on the Principles of the Hamiltonian System.* By Philip Orkney Skene, London. Hessey, Fleet Street. 1828.

4. *Hamiltonian System. Syntactical Part. A Series of Progressive Lessons, with a free and a literal Translation from the English Language into Foreign Languages: and an Index, with Illustrations of all the Rules of Grammar and of Syntax. No. I. German Language. The Rose, a Fairy Tale.* By E. Yehring. London. Longman, and Co. 1828.

5. *Result of Two Experiments in teaching the Latin Language, on a principle combining the use of strictly literal translation with the method in general Practice, in a Letter to the Editor of the Monthly Repository.* By Rev. W. Stevens, Maidstone. Hunter. 1828.

HE who shortens the road to knowledge lengthens life. The inventor of a mode of instruction which facilitates the communication of what is already known, is as great a benefactor to the community as the discoverer or the improver of science. Render the acquisition of the stores of knowledge as easy as is conceivable,—economize the time and labour necessary to obtain possession of them in the greatest degree possible,—and still there will be more languages to be learnt, more sciences to be studied, more arts to be practised, more histories to be read, more literature to be cultivated, than can be mastered, or than can even be acquired in their merest elements by any mind however powerful, in the course of any life however protracted, pursued with any degree of application, however severe and unintermitted. It is only when we have made some progress up the hill of science, when we see from the elevation thus gained the immense and interminable field that opens before us, that we really feel the truth of the ancient aphorism, that art is long and life is short. Without aspiring to the hope of enlarg-

ing the boundaries of science, or of clearing away any of the dark spots which at present appear in so many places on the surface of its vast field, to a mind of ordinary strength there is no reflection more humbling, yet in another point of view none more stimulating, than that, though it avail itself of the best aids which human ingenuity has hitherto invented, though the first beam of morning awaken it to study, though the lamp burn nightly and beyond the hour of midnight, lighting it to the same labour; though sickness should never paralyse its strength, nor pleasure divert it, nor weariness suspend it, and though the years of life exceed the number of threescore and ten, still there will be truths of great interest and usefulness which other minds have perceived and have recorded, of which it must remain in ignorance merely from the want of time to read the record. But if the treasury of knowledge be thus inexhaustible, and if what is not known to any mind be the same to that mind as what does not exist, he who really takes an interest in the progressive improvement of his fellow beings, would hail, with the highest satisfaction, the discovery of an instrument which should be proved to possess the power of conveying, in various departments of knowledge, with perfect ease, to persons of ordinary capacity, the same degree of information in a month, which it was unusual, if not impossible, to obtain by the common modes, with the hardest labour, by the strongest minds, in a year.

Compare the number of facts which the most highly-gifted mind, operating under the most favourable circumstances, can possibly make out by its own unaided efforts,—the number of combinations of such facts, the number of inferences truly deducible from them, the number of associations intellectual and imaginative to which they can give origin,—with the number of those already made by other minds;—conceive that all the truths which have ever been ascertained by all the men of genius who have ever lived, were actually communicated to any single mind in all the extent in which it is possible to communicate them;—consider the influence which such a communication must have in developing and strengthening the faculties of that mind;—think of the aid it must derive in its own course of intellectual and scientific investigation and discovery from commencing its career from the table-land thus formed of the accumulated materials of all preceding ages and labours, and we may then be prepared to appreciate with some degree of correctness the value of an instrument such as has been imagined. Suppose a hundred boys from the middle and upper classes of society, of from fourteen to eighteen years of age, endowed with all the varieties of capacity which such a

number of human beings so brought together would be sure to present; suppose these boys to possess the average degree of information which is found in boys of their age and rank in this country; suppose a requisite number of individuals, qualified for the task, who had taken special pains to ascertain what are really the best methods of instruction now known, were to avail themselves of these methods to the utmost practicable extent, and with their aid zealously devote themselves to the work of communicating to these boys all that is most interesting and useful in science and art, including in these terms all the departments of human knowledge and action,—what would be the result of such an experiment? what would be the practical effect, as shown in the extent of the knowledge obtained by the pupils, and in the development and strength of their intellectual faculties? Suppose, further, that these instructors conceived the communication of knowledge to be of inferior importance to the formation of virtuous dispositions, the acquisition of the power of self-control, and the habitual practice of just and honourable conduct; and therefore, while they endeavoured to store their minds with the most various and valuable information, placed them at the same time under as perfect a system of government as, in the present state of our knowledge, it might be possible to frame;—what would be the probable effect of such a discipline on their character as manifested when they came to fill the various relations of life in their actions? Suppose then that a method of instruction, being really a most extraordinary improvement on any plan which the ingenuity of the human mind had hitherto devised, were actually struck out, what, in the present state of the public information and feeling, would be its probable fate? Suppose also (by no means an unlikely supposition) that the discoverer were an obscure individual, endowed with no very extraordinary strength or cultivation of mind: suppose him to be without wealth, without connexion, without name: suppose further, that he had to work his way into public notice by means of this very discovery, and that the success of his enterprise involved his possession of the ordinary means of subsistence, what would be the effect upon the public mind of such a person's annunciation of such a discovery? If he were to resort to the usual modes of making the discovery known; if, in order to attract attention to it, he were to give any account, suppose all the time a true account, of its wonderful properties; if he were to say, that in applying it to the acquisition of language for example, it would enable any person to master any given tongue, in eighty or one hundred hours,

instead of requiring, as the common methods require, three or four years—by what means could the public distinguish between such a statement and the ten thousand falsehoods which are daily asserted with unblushing effrontery, for the basest purposes? We all know that there is no bodily deformity which may not be removed in the short space of a few days: that there is no disease in the long catalogue of human maladies which may not be cured with infallible certainty: that it is every man's own fault if he do not possess perfect beauty, uninterrupted health, and life of unlimited duration. How is a system which promises to do almost as much for the mind as these atrocious pretenders promise for the body, to be distinguished from delusions which appear so similar? For a time they must of necessity be confounded together, and the event has shown that the exertions of enlightened and disinterested men will fail for a considerable period to exhibit such a system in its true light to the public view, and to cause it to be justly appreciated. We are about to endeavour to show that such a system has actually been discovered: that it possesses the full power which its discoverer has attributed to it: that the evidence of this fact is irresistible: that however natural may be the distrust with which the statements that have been put forth have been regarded, yet the testimony in favour of their substantial accuracy is so abundant, and so impossible to be untrue, that the question, up to a certain point, must be admitted to be decided.

Mr. Hamilton gives the following *naïve* account of the first introduction of his system at New York, in the year 1816:—

“I promised,” says Mr. Hamilton, “that at the end of fifteen lessons, my pupils should be able, with my assistance, to translate a chapter in the New Testament, in the space of time allotted for a lesson. This was thought impossible, for the simple reason that it had never been done before. Let us inquire how this promise has been fulfilled. Since the month of February last, eight classes have been formed; namely, seventy persons were, or are yet my pupils. In these seventy persons, there has not been a single instance of the pupil's not being able to do this in ten lessons. Several, indeed all my classes, have done it in eight: many individuals (I believe any one to whom I gave private lessons, among whom were three young ladies) have done it in four: four persons have done it at the second lesson, and I have had one, who knew not a single word of French before, do it in a first lesson of two hours, and another who had some knowledge of the verbs only, in an hour and ten minutes; I say, to translate the chapter word for word, so

perfectly, as to be able to do it afterwards without my assistance *backwards*. There has not been a single instance of a person not being able to read the Testament without my assistance in twenty-four lessons. The four last classes I formed, have been able to do it in twelve; a number of individuals in eight; a few in six; and one in four lessons. Here then is the knowledge of a foreign tongue (as far as it is usually attained) arrived at in twenty-four lessons—in one month. Surprised, myself, at a progress which I did not expect, and could not hope, sufficient advantage was not taken of it in favour of my first classes. I did not then know how little application is to be expected from men in business, and arrived at a certain age. I had found no mode of making them comprehend perfectly the verbs without this application on their part. Experience has on this point much instructed me; my latter classes knew their verbs at the twelfth lesson, and could then consequently translate English into French, which the first classes had not done till after the twenty-fourth. I shall have an opportunity of compensating this oversight in the classes now forming.”

Mr. Hamilton further states, that on arriving at New York, he first explained his system to a gentleman (the rev. Mr. Feltus) who conceived so favourable an idea of the plan, that, after endeavouring in vain to form a class for him, he submitted to the experiment himself: that this gentleman obtained a competent knowledge of the French language in fifteen lessons: that two other clergymen followed his example with a like success: that some time after, the hon. judge Van Ness, did him the honour to submit to a like trial: that in ten lessons of one hour and a quarter each, this gentleman went through the gospel of St. John, read sixty pages of Voltaire's Charles XII, was capable of reading and understanding any French book whatever, had even begun to translate Gulliver's Travels into French, and, in a word, that he *acquired in twelve lessons a knowledge of the language, which he had never witnessed on any other plan in two years*. Mr. Hamilton might well be astonished at results like these. From the whole style of his addresses to the good people of New York, it is evident that it was with difficulty he could bring himself to credit the evidence of his own senses. Boys, young ladies, ancient ladies, old gentlemen, all, though not perhaps all alike, owned the power of this new magician, at whose potent voice dullness and incapacity vanished. “Having by your means become tolerably well acquainted with the French language,” writes Mr. James Otterson, Principal of the Classical Academy, 125, William-street, New-York, “which I had in vain sought to acquire by the methods usually pursued, I willingly give my

unqualified approbation to the new and singularly efficacious system by which I acquired it : a system by which the man of talents or industry may acquire a language in a time certainly shorter than was ever before known, and yet so every way adapted to the meanest understanding, that I have seen a boy ten years of age, keep pace for several days with gentlemen who had devoted their lives to study. As a teacher, I conceive that a sense of public utility, as well as justice to you, obliges me to state my own personal experience of its efficacy. Previous to my taking lessons of you, I had spent a number of months with other teachers, and had made, as I then thought, a progress proportionate to the labour I had bestowed upon it ; but what was my astonishment, upon joining one of your classes which had taken but twelve lessons, to find myself in no respect superior to them in translating French into English, and even far inferior in translating English into French ? I can at present read French with pleasure, write it with facility, and express myself intelligibly, although I have taken, as you know, but twenty-four lessons : neither do I pretend to any superiority over those in the same class as myself. Should the number of your pupils, whose surprising progress I have myself witnessed, not render any further proofs that it is possible to acquire the French language in forty-eight lessons superfluous, I am willing to give in person such information as I think must satisfy the most incredulous."

Then follows a document from certain worthy citizens, corroborating the testimony of Mr. Otterson : and a letter from a gentleman who certifies that a very few lessons from Mr. Hamilton accomplished for his daughter what none of the good ladies of the Ursuline Convent had been able to effect. Flushed with a success which was experienced and testified by the young and the old, by the pupil and the master, by the citizen, the churchman, and the judge, Mr. Hamilton hurried to England : he arrives in London, his mind filled with golden visions, more abundant, if not more precious, than substantial gold. In London Mr. Hamilton knew no one ; no one manifested any violent desire to become acquainted with him or with his system ; the citizens (how unlike the simple inhabitants of New York) were occupied in money-getting and feasting ; no clergyman was in need of knowledge ; the hope of finding a judge ignorant of any thing was speedily abandoned, and though it was not easy to find an Ursuline Convent, yet seminaries for young ladies existed in great abundance. What was Mr. Hamilton to do ? What he did was to advertise, to lecture gratis, to circulate hand-bills giving an account of the wonders which he was capable of per-

forming. To almost everybody his pretensions appeared foolish and arrogant. It must be admitted that nothing excellent and nothing worthless were ever ushered into the world with more appearance of ostentatious pretension; perhaps the most simple and modest account of the machinery of the system and of its results, could scarcely be given without exciting some suspicion of boasting and quackery; but Mr. Hamilton, with all the anxieties of a fond parent, represented every peculiarity of his child as an excellence, and every excellence as the highest possible, and thus contrived to throw over every account of his system an air of exaggeration, and to induce the suspicion that he was labouring under some strange delusion. In the mean time, Mr. Hamilton replied to complaints of this kind, it must be confessed, with some show of reason, "What was I to do? What other way under heaven was there in which I could have brought forward my system with the slightest hope of success? Painful has it been for me to pass for one hour for a puffer or a boaster; but if a faithful and simple representation of my system, if a fair exposition of its results appear incredible or impossible, the fault is not in me, but in the general ignorance of society of what a right system of teaching ought to produce. No doubt if this appearance of puffing could have been avoided it would be desirable, but the mode of avoiding it without abandoning my profession, neither friends nor enemies have yet pointed out. Those who think it was only necessary to demonstrate its effects to the heads of colleges or schools, to statesmen, clergymen, editors, or men of learning generally, know little of the world or of the class of men they speak of; they know not the prejudices of education, the force of mental habits, of preconceived opinions, of private interests, or scholastic pride. If I had not advertised I should not have had a pupil; and if I had not in my advertisements told the infallible result of my lessons, instead of being able to count ten thousand pupils formed in ten years, I should probably find myself with thirty or forty children in some obscure village of the United States."

We have thus far adverted to this subject in order to suggest that there may be causes in operation adequate to account for the want of a more general adoption of the system, other than the want of success attending the practical application of it. We are now to show by an examination of its principles, first, that there is power enough in the system to produce the results which are said to be accomplished by it; and, secondly, that there is evidence enough to prove that these results are actually effected.

Of the principles which form an essential part of the Hamiltonian system, there are several which are not peculiar to

it. No man in the present age could frame a system of instruction into which there would not of necessity enter expedients which have long become the common instruments of the teacher. The principles peculiar to this system, and those common to it and to other modes of instruction, we shall endeavour to distinguish as we go along.

1. The fundamental principle of the Hamiltonian system is peculiar to it: it is, that it is the office of the instructor to teach, and not to assign the lesson to the pupil and to order him to learn it. Without doubt every instructor, whatever kind of knowledge he undertake to communicate, at some part or other of the course, teaches to a certain extent. The distinctive character of the Hamiltonian method is, that in the beginning especially, and up to an advanced section of the course, the teacher communicates *every thing* to the pupil; he does not leave him for a moment, and, least of all, does he leave him for the purpose of exciting his inventive faculty; he trusts nothing to his pupil's sagacity; he even affords him no opportunity to try it; every thing is mechanical. Supposing his scholar to be ignorant of every thing relating to the subject-matter to be studied, the Hamiltonian teacher tells his pupil whatever it is requisite that he should know. The teacher gives, the pupil receives; the teacher does nothing but communicate that which he has already learnt, the pupil does nothing but learn that of which he was hitherto ignorant. Extraordinary as it may appear, this mode of instruction is absolutely new: until Mr. Hamilton pointed it out, its peculiar importance and excellence was not perceived. We do not say that no idea of it had ever occurred to any reflecting man. There are proofs on record of its having been discerned by some philosophers who have studied and analysed with success the faculties of the human mind. But what we affirm is, that no one had ever before perceived it with such clearness, or appreciated it with such justice, as to make it the all-important principle, which ought to be laid down as the foundation of every mode of instruction. We well know that the common mode of what is called teaching, is to set the pupil to work to find out for himself the knowledge which it should seem to be the obvious duty of the instructor to communicate;—to give the clue and see that it is followed; not to give the idea and see that it is understood: and what is truly surprising is, that this plan is almost universally conceived, not only to lead to the acquisition of knowledge, but at the same time to develop and to strengthen the faculties. There must be a wonderful plausibility in this notion, since it has had the power to mislead

for so many ages such a countless number of strong and instructed minds. The fallacy of it, when once pointed out, is so obvious, and even so striking, that it is astonishing it should have misled any one beyond a moment. The error lies in the conception, that, in the process of instruction, the faculties of the teacher who communicates, alone are active, while the faculties of the pupil who receives, because he only receives, are passive, as if activity of the intellectual faculties were not in the very nature of the thing essential to the reception of a new idea. In receiving knowledge on any subject that is new to it, even the most acute and powerful mind has abundance to do, quite as much as at that time it can master. To whatever subject they may relate, the more new ideas can be simplified,—the plainer they can be made,—the more rapidly they can be conveyed,—the surer and the greater will be the progress. If the development of the faculties form an object proper to be attended to in this stage of the study, and by means of this study; that object should be attempted by taxing the attention to the utmost practicable extent to receive the greatest number of clear and correct ideas in the shortest space of time. If this be done there will be a sufficient call upon the activity of the faculties both of teacher and pupil: on the part of the teacher, for clearness and precision, no less than for order and arrangement: on the part of the pupil, for attention which can never flag, and for apprehension which can never be imperfect without being immediately perceived. If this be done, the strong-minded and the active will still outstrip the ordinarily endowed and the inactive; and the difference in their progress will be the measure of their relative strength and energy. On the other hand it is notorious, that on the common plan, especially with regard to certain subjects, the progress of either is so uncertain, that minds of the greatest capacity, capable of the most rapid advancement, capable even of extending the boundaries of whatever department of knowledge they cultivate, may be, and often are, disgusted with the pursuit by the difficulties thrown in their way at the outset, and that minds of less vigour, discouraged at first, sink into absolute despondency.

Of course every teacher is supposed to have mastered the subject he professes to teach: he has already put himself in possession of the most valuable knowledge that has been ascertained relative to that particular subject; by virtue of his office he engages to communicate that knowledge to the pupil, and it is implied in the compact, that he is to convey it in the fullest and most perfect degree in the shortest space of time. It is for this very purpose, namely, to save labour and time, that the relation between teacher and pupil subsists. Because every one cannot

discover, because every one may be easily and quickly taught, what no one can ascertain for himself without prodigious labour, the office of teacher is instituted: as often, therefore, as the teacher sets his pupil to find out what is already known to the teacher and may be communicated by him, he violates the conditions of the bond. In the degree in which he imposes that labour, he reduces his pupil to the condition in which he would have been had he no instructor; exposes him to the same risk of not learning; extorts from him the same sacrifice of time and labour in learning as would have happened to him had he been obliged to discover every thing by his own unaided efforts.

It happens that subjects of a purely scientific nature cannot possibly be taught according to the received mode of instruction. The teacher in this department of knowledge is obliged to communicate to his pupil the facts which have been ascertained, the experiments by which the nature and succession of the phenomena are rendered certain, and the induction which may justly be made from a comparison of the entire series of observations. Suppose a student were to go to a professor of anatomy in order to be instructed in the art, and the teacher, after having given him a learned and exact description of the manner in which dissection ought to be conducted, should say to him, "Here is a scalpel, there an upper extremity, carefully remove the skin, be sure to obtain a good view of the fascia that lies beneath it; separate the muscles from each other; do not cut through the blood vessels, and take especial care not to wound the nerves." The delight with which the anatomical student would immediately set about the task assigned him can be equalled only by the felicity of a little urchin who, in his first initiation into grammar, should be put to learn the following rule:—"Relative sentences are independent; *i. e.*, no word in a relative sentence is governed either of Verb or Adjective that stands in another sentence, or depends upon any appurtenances of the relative: the English word *that* is always a relative when it may be turned into *which* in good sense, which must be tried by reading over the English sentence *warily*, and judging how the sentence will bear it; but when it cannot be altered *salvo sensu* it is a conjunction:" or the zeal with which the same little fellow on commencing the study of the Latin language would set about learning the genders of nouns for example; when, in order to construe the very first rule which is to give him any information on this subject, he must possess a knowledge of the Latin language, not to be obtained, as is universally acknowledged, in common schools, in two or three years, and often not really acquired in six. If the student were made to get by heart in the original Greek before he had learnt that language, the

enumerations of all the propositions in Euclid's Elements, and were then obliged to construe the denominations of the propositions, regardless of the mode in which they are arranged, it would be but an extension to science of the method of teaching, which is actually adopted in regard to language.

Whether language or science or art be attempted to be taught in this manner the absurdity is just the same, although it is not apparently the same: for science and art there are no grammars or dictionaries: if, therefore, in studying those branches of knowledge, the pupil be left to his own resources, he must be entirely at a stand; he can do nothing; he cannot even appear to do any thing: for the acquisition of language there are grammars and dictionaries; the pupil, therefore, need not be entirely at a stand: he may, at least, appear to do something. But the loss of time and the misdirection of labour are as real in the one case as in the other, and differ only in amount. In a word, the business of the teacher, whatever be the subject of study is, to communicate all he knows as clearly, as perfectly, and as rapidly, as possible; leaving nothing to the pupil excepting to comprehend the information he conveys.*

2. In applying this principle to the teaching of language (the most important application of it which has yet been made), the second principle is, that the teacher should begin by expounding to the pupil the meaning of words. This is the manner in which language is first acquired by the child, who observes that certain sounds are made to stand for certain things; and who, at length, endeavours to imitate the sounds he hears. It is a considerable time after he has become acquainted with the meaning of single words before he learns to combine them, and is capable of constructing a sentence and uttering a phrase. In the attempts that are made to communicate a foreign language to older children, the universal practice has been, to invert this order, to begin by ordering the pupil to learn by rote the technical names which grammarians have given to certain words; to require him to commit to memory the classification into which particular words are formed, and the rules according to which their combination is regulated; that is, to learn grammar and to study the two grand divisions of it, Etymology and Syntax. And this is attempted before the meaning of indi-

* We trust we cannot be supposed to mean that it is not a part of the duty of the teacher to cultivate the intellectual faculties of his pupil. That, without doubt, is one of the very highest and most important departments of education; but the preceding observations relate to the communication of knowledge—the statement of facts or phenomena, the materials on which the intellectual faculties are to operate.

vidual words has been explained. If the object of instruction were, not to communicate a knowledge of language, but to prevent the acquisition of it, and at the same time to confound the understanding of the pupil, no process could possibly secure that object more effectually. In learning a language the meaning of words is obviously the very first thing to be acquired.

3. The third principle is, that the learner is to be made acquainted with what is termed the literal meaning of a word (in the first instance) and with no other. The great majority of words having been primitively employed to denote some particular object or quality, it happens that, with regard to this immense majority, there is some one signification which is proper to each, although in the process of time a secondary meaning comes to be attached to certain words, and some are even used in a third sense. According to the system we are explaining, no attempt is to be made to teach these accessory meanings, until an advanced stage of the course, because the figurative use of words differs in every language in conformity to its own peculiar genius.

4. The fourth principle is, that the learner is to be made acquainted with the literal meaning of words *by the teacher*. The teacher knows that meaning: the obvious course therefore is, that he should state it to his pupil. That a teacher should set his pupil to search for that meaning of a word in a dictionary, which he already knows, and which he might communicate merely by pronouncing it, is so absurd, that it would be deemed absolutely incredible were it not that the practice is universal.

All the difference between the time consumed in pronouncing a word, the meaning of which is known, and in searching for that meaning in a dictionary is just so much absolute waste. What object is gained in merely turning over the leaves of a dictionary? What object is gained in running the eye along its columns? What object is gained in searching first for the right word, and then for its exact meaning among the twenty that may be given? The object of looking into a dictionary, it has been justly observed by a writer in the *Edinburgh Review*, who has very happily exposed some of the absurdities of the old system, can only be to exchange an unknown sound for one that is known. The sooner this exchange is made the better. The greater the number of such exchanges which can be made in a given time, the greater is that progress, the more abundant the *copia verborum* obtained by the scholar. Would it not be an advantage if the dictionary at once opened at the required page, and a self-moving index at once pointed to the requisite word? Is any advantage gained to the world by the time

employed in finding the letter P, and then in finding the three guiding letters P R I? This is pure loss of time, justifiable only if it be inevitable. It is not inevitable, because the teacher can instantly change the unknown sound for one that is known, and to do so is a part and a most important part of his office.

5. The fifth principle is, that the learner is to be made acquainted with the literal meaning of words by oral communication on the part of the teacher. By this means the proper sound of the word is taught at the same time that its meaning is explained: the ear is instructed as well as the eye; two senses are informed at once; the sound and the sense being communicated at the same time, they become associated together in the mind, and both are better fixed in the memory than either would be alone.

The difficulty of pronouncing a foreign language, at least with sufficient distinctness and accuracy to accomplish every intellectual and social purpose, has been greatly magnified. With some exceptions, the sounds common to all languages are the same, but different languages express the same sounds by different characters, and the difficulty lies, not in pronouncing the sound but in associating it with characters, to which we are not accustomed. It has been justly observed by Mr. Skene, that were a native of England required to pronounce after a Frenchman the written words *aulne*, *coude*, *n'ose*, *note*, *pour*, he might at first find some difficulty, but that difficulty could arise only from the cause which has been just assigned; namely, from the new association he is called upon to form between the sound and the written sign, for the Englishman is accustomed to precisely the same sounds, and is in the daily habit of employing them, only he expresses them by the graphic signs *own*, *could*, *knows*, *not*, *poor*.

6. The sixth principle is, that the acquisition of the meaning of words is greatly facilitated by oral communication in a class. That which experience has shown to be the most convenient number is five or six. The great advantage of learning in a class properly conducted has been long known.

7. Instruction being communicated with the greatest facility in a class of five persons, it follows that, for every five pupils there must be a teacher. In private families and for adults, this is a matter of no inconvenience; for large schools it is impossible to find the requisite number of teachers. Happily this deficiency may be supplied, not indeed completely, but with a high degree of usefulness, by monitors. For large numbers, therefore, the proper mode of instruction is the Hamiltonian method, carried into operation by the monitorial system.

8. The eighth principle is, that the acquisition of the mean-

ing of words is still further facilitated by studying them not isolately, but in connection with each other. This depends upon the association of ideas, that law of the human mind, the power of which, in assisting the memory and aiding even the inventive faculties, has been fully tried in no system of education that has ever yet been carried into operation. When the learner was set to construe, having previously acquired the meaning of scarcely a single word in the language, and was, therefore, obliged to search for that meaning in the dictionary, the inconvenience and folly of this method constantly forced itself on the attention of teachers: to remedy the evil, the expedient of vocabularies was adopted, in which long columns of words are given, with their meaning subjoined in an opposite column, and which the pupil is required to learn by rote. It is found, however, that these words, being completely isolated, being bound to each other by no link, fade from the memory almost as soon as they are learnt, and that the days and weeks and months devoted to this irksome employment are almost wholly wasted.

9. If words are to be learnt not separately, but in connexion with each other, they must be studied in sentences.

10. The relation of words to each other in the simplest sentence that can be framed, can be understood in no other way than by construing. To explain that relation is, in fact, to construe. Accordingly, the proper mode of construing is the very first thing which the Hamiltonian scholar is taught, and this is another distinctive character of the system. The common mode, we may say the universal practice, is the very reverse; every teacher begins by setting his pupil to learn grammar, to learn by rote the refinements and abstractions of etymology and syntax. Locke perceived fully the folly of this system, and recommended in the room of it the very plan which Mr. Hamilton has adopted; still to Mr. Hamilton is due the merit of having carried it into operation.

11. The next principle distinctive of the Hamiltonian system is the peculiar opinion it maintains, relative to the proper mode of construing. The object which it represents to be the essential one, to which every thing else whatever is to be sacrificed is, to convey to the understanding of the learner the precise meaning and value of every word, by annexing to it an equivalent in his mother tongue, preserving with the same view its grammatical form so perfectly and so undeviatingly, that a person acquainted with the technical language of grammar might at once parse every sentence translated, though previously ignorant of the language. Of so much importance is this strictly literal translation, that the structure and genius

of the language of the student must be sacrificed to it; its elegance and even its perspicuity must be disregarded, new words must be coined without hesitation, and barbarisms introduced without scruple, whenever these expedients are absolutely necessary. In no other way is it possible to exhibit to the learner the true verbal analysis of any foreign tongue. The importance of this principle was recognized by Locke, but when he endeavoured to reduce his own plan to practice, as may be seen by consulting the specimen of translation which he has left, he failed in rendering it a strict verbal analysis. To Mr. Hamilton is due, the great merit of introducing translations which are made in invariable accordance with this principle, and it is this peculiarity which renders them such invaluable instruments to the learner. Of this principle, which is one of the most essential of the system, it is but justice to Mr. Hamilton, to allow him to give his own exposition.

“Translations on the Hamiltonian system,” says the author, “must not be confounded with translations made according to Locke, Clarke, Stirling, or even according to Dumarsais, Frémont, and a number of other Frenchmen, who have made what have been, and are yet, sometimes called *literal* and *interlineal* translations. The latter are indeed *interlineal*, but no *literal* translation had ever appeared in any language before those called Hamiltonian, that is, before my Gospel of St. John from the French, the Greek and Latin Gospels published in London, and L’Homond’s Epitome Historiæ Sacre. These only were, and are truly literal, that is to say, that every word is rendered in English by a corresponding part of speech; that the grammatical analysis of the phrase is never departed from; that the case of every noun, pronoun, adjective, or participle, and the mood, tense, and person, of every verb are accurately pointed out by appropriate and unchanging signs, so that a grammarian not understanding one word of Latin would, on reading any part of the translation here given, be instantly able to parse it. In the translations above alluded to, an attempt is made to preserve the correctness of the language into which the different works are translated; but the wish to conciliate this correctness with a literal translation has only produced a barbarous and uncouth idiom, while it has in every case deceived the unlearned pupil by a translation altogether false and incorrect. Such translations may indeed give an idea of what is contained in the book translated, but they will not assist, or at least very little, in enabling the pupil to make out the exact meaning of each word, which is the principal object of Hamiltonian translations. The reader will understand this better by an illustration. A gentleman has lately given a translation of

Juvenal, according to the plan of the above-mentioned authors, beginning with the words *semper ego*, which he joins and translates, 'shall I always be.' If his intention were to teach Latin words, he might as well have put 'shall I always eat beef-steaks;' true, there is nothing about beef-steaks in *semper ego*, but neither is there about 'shall be.' The whole translation is upon the same plan; that is to say, that there is not one line of it correct, I had almost said one word on which the pupil can rely as the exact equivalent in English of the Latin word above it; not so the translation here given.

"As the object of the author has been, that the pupil should know every word as well as he knows it himself, he has uniformly given it the one sole precise meaning which it has in our language, sacrificing every where the beauty, the idiom, and the correctness, of the English language, to the original, in order to show the perfect idiom, phraseology, and picture, of that original as in a glass. So far is this carried, that where the English language can express the precise meaning of the Latin phrase only by a barbarism, this barbarism is employed without scruple—as thus: '*tenebræ non eam comprehenderunt.*' Here the word *tenebræ* being plural, if you translate it 'darkness,' you not only give a false translation of the word itself, which is found in the plural number, but, what is much more important, you lead the pupil into an error about its government, it being the nominative case to *comprehenderunt*, which is the third person plural; it is, therefore, translated not darkness but darknesses.

"In the Latin translation to which I have referred, the word *clamo* is rendered in one place by to 'sing,' in another to 'bawl out;' only sacrifice the word to the phrase and the phrase to the idiom of the language into which you translate, then you can make any word in our language signify any thing you please in another; and thus precisely have done all who have preceded me in the career of translation. Such translations have therefore been justly scouted from schools, and thence probably it is, that schools are generally hostile to translations, well knowing that those which have appeared under the name of literal are mere *ignes fatui*, as useless to the learner as the elegant paraphrases of Pope or Dryden."

To translations on the Hamiltonian principle, two objections have been made: first, that they distort and deform both languages; that they accustom the learner to a faulty phraseology at the very outset of his studies; and that the habit of speaking and writing with elegance cannot be acquired under a system which requires; as an essential part of it, the constant use of an incorrect idiom, and of barbarous phrases. The proper answer to

this objection is, that any influence of this kind which can be supposed to operate in the early lessons must be effectually counteracted by the instructions received in the later sections of the course, the main object of which is the study of the correctness, perspicuity, and elegance, of language, and in which the learner must of necessity be familiarizing his mind with the classical phraseology of his own tongue, because he must be constantly placing it in contrast with the correct and pure idiom of the language he is studying. The sole object of a strictly literal translation, which must of necessity be unidiomatic and barbarous, is to teach the structure, and to exhibit the idiom of the foreign language; in the meantime, it is not reasonable to suppose that the English pupil, who has occasion to inquire in his native tongue after the health of a friend, will be in any violent danger of saying, '*How himself carries he*,' because in learning French he has been taught to analyse the idiomatic phrase *comment se porte-t-il*; or to demand if he has '*led a wife*,' because if he were to employ the Latin language he would make use of some modification of the phrase "*ducere uxorem*."

12. Construing being the first thing which the learner is taught, it is obvious that the sentences should be of the most simple structure, and the words which compose them the most familiar possible. Conceiving that the Gospel of St. John affords for the most part sentences of easy construction, and words which are perfectly familiar, and moreover which frequently recur, Mr. Hamilton has been in the habit of commencing his course in different languages with this gospel. Mr. Skene has now published the History of Little Jack both in the French and the English languages, and this work combines all the requisites which should be found in first lessons; the sentences are simple in their structure, the words are familiar, and there is a connected story told with great simplicity, and in a very lively manner. It is excellently adapted as a first lesson for the Englishman who wishes to learn French, and for the Frenchman who wishes to learn English.

13. It is an essential part of this system, that the first lesson should be thoroughly understood before the second is attempted. Every step in this course is graduated; every progressive step depends on that which preceded it; all are strictly consecutive. No dark spot is allowed to exist in that part of the field of instruction which at the moment is in the eye of the learner. From the very nature of the instruction, this indeed is absolutely impossible. So long as the attention is kept up, and if it flag, the teacher cannot fail to observe it, any difficulty in understanding, any misconception, is impossible.

14. Next in importance to understanding a lesson, is that of remembering it. On the Hamiltonian system, a second lesson is never begun until ample means have been afforded of impressing the first indelibly on the memory. Repetition is the only way in which this can be effected. Repetition is secured in this system by a great variety of expedients. In the act of construing, there must of necessity be a frequent repetition of a great number of words in every lesson, and as one meaning is invariably given to the same word, that meaning, by this insensible repetition, comes to be indissolubly associated with it. This, indeed, is the great reason why the knowledge of words is acquired in this mode with such astonishing rapidity. In the next place, by the plan of construing in class, every sentence is distinctly repeated at least five or six times, while the same word often occurs two or three times in the same sentence. It was found highly desirable that the pupil should go over and over again in private, the lesson which he had learnt in class; for all the pupils to do this with the teacher was impossible, and to do it without him was scarcely practicable, for whatever attention a pupil might exert, it would necessarily happen that he would forget the meaning of some words, that he would be doubtful of the meaning of others, and that to others again he would attach a wrong signification.

15. An instrument was soon discovered and soon brought into operation, by which provision was made against this inconvenience. It consists of a translation such as has been already fully described, in which every word and every phrase is completely analyzed, so that for each word and phrase an exact grammatical equivalent is assigned in the mother tongue of the learner. Such a translation is termed a Key, and we think the form proposed by Mr. Skene is the best. A key is merely a printed copy of the instruction which the teacher communicates orally. In the early lessons at least the teacher gives no positive instruction, excepting what may relate to pronunciation, which is not to be found in the key; in the more advanced sections, as we shall see immediately, he does afford additional information. The advantages of such an instrument were clearly discerned by Locke, who strongly recommended the use of it. "If," says he, "such a man cannot be got who speaks good Latin, and, being able to instruct your son in all these parts of knowledge, will undertake it by this method, the next best is to have him taught as near this way as may be, which is by taking some easy and pleasant book, such as *Æsop's Fables*, and writing the English translation (made as literal as it can be) in one

line, and the Latin words which answer each of them just over it in another. These let him read every day over and over again till he perfectly understands the Latin; and then go to another fable, till he be also perfect in that, not omitting what he is already perfect in, but sometimes reviewing that, to keep it in his memory; and when he comes to write, let these be set him for copies, which, with the exercise of his hand, will also advance him in Latin. This being a more imperfect way than by talking Latin unto him, the formation of the verbs first, and afterwards the declensions of the nouns and pronouns perfectly learnt by heart, may facilitate his acquaintance with the genius and manner of the Latin tongue, which varies the signification of verbs and nouns, not as the modern languages do, by particles prefixed, but by changing the last syllable. More than this of grammar I think he need not have till he can read himself *Sanctii Minerva* with Scioppius and Perizonius's notes."

16. As soon as the power of construing is acquired, the pupil must read to as great an extent as his leisure will permit, for when not surrounded by those who speak a language it is only by reading that it is possible to gain an extensive knowledge of words, and before this acquisition is obtained it is idle to attempt to speak the language, to write it or to study its grammar. When, therefore, Mr. Hamilton speaks of a language being to be acquired in so many hours, the number stated by him is not the true number required to become a proficient in the tongue; to these must in all fairness be added the number spent in reading in private. One reason why the efficacy of the system has been so generally doubted, is because this fact has not been put prominently forward. When the pupil shall have read, suppose thirty or forty volumes in a language, he will necessarily know by heart a great number of words, and these the most useful, because the most frequently employed.

17. And as soon as this happens, as soon as an extensive acquaintance with words is obtained, then, and not before the classification of words, the terms which express their relations, and the laws which regulate their combination, are to be taught; that is grammar is now to form a principal object of study. Because Mr. Hamilton does not begin by teaching the learner grammar, it is ignorantly supposed that he ends without teaching it, and hence, it would seem, has arisen the notion which has so generally prevailed, that this system can give only superficial information; that it may convey perhaps in a comparatively short space of time a smattering of learning, but that it is incapable of producing a profound scholar. In the higher sections of the

course, provision is made for communicating a knowledge of syntax and grammar to the utmost extent in which these branches of learning can be taught. All that the teacher knows, whatever may be the extent of that knowledge, he may impart. The most profound scholar which the world ever saw, may by this mode of teaching make others as profoundly learned as himself, only if he adopt this mode he will do so with infinitely less labour and in an infinitely shorter space of time than on any other plan which has ever yet been practised. Every one cannot afford to be a profound scholar; every one does not wish to be so; but thousands desire to read, and would be glad to write and speak with correctness and ease many languages—languages, all the minute etymology, syntax and prosody, of which, they have not the slightest wish to acquire. Why should they not be gratified? Hitherto the door of language has been closed against all such applicants. They have been told that they cannot enter but by the key of grammar. The Hamiltonian system opens that door without that key; it even rejects the key not as an useless instrument, but as useless at this part of the temple, and as useless altogether to those who do not intend to advance beyond its portico. Whether this be right or not, at least it has authority in its favour. This view of grammar is precisely that which has been inculcated by the profoundest grammarians which the world ever saw when in moments of reflection they have looked back upon the means by which they have made their wonderful acquirements. “Si quid valeo,” says Facciolati, “Cicconi, Terentio, Livio, Cæsari, Virgilio, Horatio, cæterisque ejus ætatis scriptoribus debeo: nihil a me repetundarum jure postulet Priscianus, nihil Donatus vindicet, nihil Valla, nihil Sanctius, nihil ille ipse, deliciae quondam nostræ Emmanuel Alvarus, quos omnes unâ cum erepundiis vel objeci vel deposui. Excidère jamdiu animo eorum monita, excidère leges, nihilque mihi potest ad studium retardandum contingere infestius, quam tristis quædam eorum recordatio, ac metus, unde solent arida, ac exanguia proficisci. Quid enim est aliud grammaticè loqui quam omnino latinè non loqui, si credimus præceptori maximo Quintiliano?” [Facciolati *De Optimis Studiis, Orationes X. ad Grammaticam, Oratio I.*] Flaminio, the precursor and guide of Facciolati, in his great work has left the following among many testimonies against the practice of hindering the learner from entering upon a language by the previous study of grammar. “Non sapete voi già tanto tempo fa, che io sono inimicissimo di quelle lunghe vie, anzi laberinti di gramatica per li quali costumano tanto i maestri di condurre i poveri discepoli?” Did you not know long since how much I am ad-

verse to these long roads or rather labyrinths of grammar by which our masters persist in dragging their poor scholars. "By this method," says *Il Bandiera*, "scholars do not even learn the precepts of grammar. But, if they should learn the grammar they do not learn the (Latin) language, which should be the object of their learning grammar. By these grammatical exercises, they learn that which they must afterwards forget, in order to learn well. Whence," adds he, "we often see scholars go one two or more times through the grammar course, condemned, like *Sisyphus*, to roll that painful and heavy burthen up the steep in vain." "If grammar ought to be taught at any time," says our own *Locke*, "it must be to one that can speak the language already; how else can he be taught the grammar of it? This, at least, is evident, from the practice of the wise and learned nations amongst the antients. They made it a part of education to cultivate their own, not foreign, languages. The Greeks counted all other nations barbarous, and had a contempt for their languages. And though the Greek learning gained in credit amongst the Romans towards the end of their Commonwealth, yet it was the Roman tongue that was made the study of their youth; their own language they were to make use of, and therefore it was their own language they were instructed and exercised in."

"But, more particularly, to determine the proper season for grammar, I do not see how it can reasonably be made any one's study, but as an introduction to rhetoric. When it is thought time to put any one upon the care of polishing his tongue, and of speaking better than the illiterate, then is the time for him to be instructed in the rules of grammar, and not before. For grammar being to teach men, not to speak, but to speak correctly, and according to the exact rules of the tongue, which is one part of elegance, there is little use of the one to him that has no need of the other. Where rhetoric is not necessary, grammar may be spared. I know not why any one should waste his time, and beat his head about the Latin grammar, who does not intend to be a critic, or make speeches, and write despatches in it. When any one finds in himself a necessity or disposition to study any foreign language to the bottom, and to be nicely exact in the knowledge of it, it will be time enough to take a grammatical survey of it. If his use of it be only to understand some books writ in it, without a critical knowledge of the tongue itself, reading alone, as I have said, will attain that end, without charging the mind with the multiplied rules and intricacies of grammar."—*Locke on Education*.

18. After a knowledge of words, and an acquaintance with the rules of grammar have been acquired, the student should

begin to translate from his own language into the language he is learning. Up to this point, the learner's labour has been wholly analytical; his object has been to decompose words and sentences; to ascertain the meaning of the one, and the structure of the other; from this time forward his object is the very reverse; he now enters upon the synthetical part; he learns to combine words and sentences, and now it is, that he feels the advantage, nay, the absolute necessity, of an acquaintance with the meaning of words; with their various inflections; with the modes by which varieties of circumstance and differences of time are expressed; with the laws according to which words are combined and sentences constructed; in a word, with those peculiarities of combination and that idiomatical phraseology which constitute the peculiar genius of the language.

Suppose the language he is studying to be the French: a verbal or literal translation of English into French is not now to be attempted, but the contrary. The English thought is to be expressed in the French manner and idiom, without reference to the structure of English phrases. The same books are to be used for translating from English into French as have been employed for translating from French into English, the advantages of which do not need to be pointed out. Suppose the first book that had been read were the *History of Little Jack*: the teacher ascertains for himself the exact sense of an English phrase or sentence: while his pupils have their attention fixed on the same passage in the English version, he utters the meaning of it in as plain and simple French as is consistent with purity of idiom. This he repeats once or twice distinctly. He then calls on the members of the class to repeat it in succession until it is pronounced correctly and without much effort by each. After this is accomplished, the teacher translates, and the pupils repeat another sentence in the same way. This operation is continued for several lessons, until the learners acquire a power of translating correctly for themselves, each in turn uttering in pure French the thought or meaning of the English text, assisted by the teacher whenever at a loss. The great efficacy of this operation depends, it is obvious, on the accurate and familiar knowledge of words obtained before this is attempted. The same process, without such a previous knowledge of words, would be extremely laborious, and attended with little advantage.

19. After a certain number of exercises have been performed in translating from English into French, each pupil must bring to the master a written exercise, consisting of a part of the preceding lesson, in order that any errors it may contain may be

pointed out and corrected. It is not necessary that this exercise should be long : five or six verses each time will be sufficient, for, in writing more, probably the same faults will be repeated. Each exercise affords a text to the teacher on which to found a lecture on grammar. Or of the different exercises that are presented to him, perhaps he selects that for his text which contains the greatest number of errors. In adverting to these, and in pointing out their nature, he takes care to give, and to cause to be comprehended, the general rule of syntax, which must serve as the guide in all parallel cases. And now it is, that the value of rules is appreciated. Being connected with the pupil's urgent wants, the practical application of them being immediate and direct, their use, their absolute necessity, is perceived and felt, and therefore the meaning of them is easily and surely retained.

The transition from rendering the subject of an English book into French, to the practice of expressing our own thoughts in it is found to be attended with no difficulty to those who (like the disciples of this school) have been accustomed to hear themselves and others read and translate in a class. Experience teaches as a pretty general and uniform result, that, in about twenty lessons of synthesis, the student will have acquired the habit of speaking and writing idiomatically. All study beyond this relates not to the acquisition of language, but to the cultivation of literature.

Such are the principles which are brought into operation in this system ; or more correctly speaking, such are the principles, the combined operation of which are steadily and uniformly brought to bear upon the learner in every lesson. This view of the machinery is, we think, sufficient to account for the power it exerts : it shows that the results, surprising as they are, are the natural and necessary effects of the causes that are at work.

We must add a word in explanation of the adjustment of the mechanism, the working of which involves the principles that have been stated.

Suppose a class to be formed for the purpose of learning the French language. Imagine the teacher with six, eight, or ten pupils to be seated around a table. The teacher and each pupil has in his hand, say a copy of the Gospel of St. John in the French tongue. The teacher brings his pupil at once to the study of the language, by reciting, with a loud articulate voice, the first verse, thus : *Au*, to the ; *commencement*, beginning ; *était*, was ; *le*, the ; *verbe*, word ; *le*, the ; *verbe*, word ; *était*, was ; *avec*, with ; *Dieu*, God ; *et*, and ; *le*, the ; *verbe*, word ; *était*, was ; *Dieu*, God. The teacher having thus recited the first

verse once or twice, it is read precisely in the same manner by the pupil, who may happen to sit at his right or left hand; the pupil copying the manner and intonations of the teacher as nearly as possible, and the latter instantly correcting whatever faults may have been made. A second pupil then translates precisely in the same manner, next a third, then a fourth, a fifth, and even a tenth, if it be necessary. By this means an ample repetition is secured, and the pupil is made acquainted both with the exact meaning of every word and with its sound. However often it may be necessary to repeat the first verse until every pupil is perfectly familiar with every word in it, the class is never allowed to proceed to the second, until the teacher is satisfied that this object is accomplished. As soon as the first verse is thus perfectly known, the teacher proceeds to the second, which he translates in the same manner as the first. This is repeated like the former by the members of the class in succession, the teacher taking the same care that the repetition goes on until every individual is perfectly familiar with every word. The teacher then proceeds to the third verse, and in this manner continues to translate the first ten or twelve verses, which usually constitute the first lesson of one hour. The lesson is repeated in private by the pupil in the interval between the first and second lesson by means of the key. At the second lesson the mode of proceeding is precisely the same; but the teacher diminishes the number of repetitions as he perceives that the pupils become familiar with the subject. In general, at the beginning of the fourth lesson, every member of the class can recite with facility on hearing the verses once translated. At the seventh lesson it is invariably found, that the class can translate without the assistance of the teacher, further than for occasional correction, or for any word that has not occurred in the preceding lessons. From the seventh to the tenth lesson the pupils translate entirely alone, which it is found they can perform with the utmost readiness, and with an astonishing degree of accuracy as to grammatical analysis and precision of meaning. The tenth lesson finishes the first section of the course in which the whole Gospel of St. John will have been translated. If, from having neglected the use of his key in private, or from any cause, every pupil be not perfectly acquainted with every word of this first section, an extra lesson or two must be given, for on this perfect knowledge will depend the ease and certainty of his future progress.

The second section is occupied with the Fables of Perrin. In the two first lessons the teacher reads a fable for each pupil. At the third, or, at most, at the fourth lesson, the pupil can

translate alone. He continues to do so until the end of the section, when he will have read in class the whole of the fables. Teachers who begin for the first time on this system, from want of habit, may, perhaps, find some difficulty in rendering as much as is here mentioned at each lesson: this, for a short period, may make the difference of a lesson or two in the section, which may be met by prolonging the lesson a quarter of an hour, or by giving one or two extra lessons.

At the beginning of the third section, two or three lectures are given by the teacher on the principles of grammar generally, particularly in the theory of the verbs and other words which change their terminations. A grammar containing the declensions and the conjugations is put into each pupil's hands, not to be learnt by heart, but to be carefully read, in order that the teacher's lectures may be better comprehended. From this time, that is, from the beginning of the third section, the pupil regularly studies the theory and construction of the language while he is exercised in its practice. The usual custom is, to read in this section the *Recueil Choisi*, after which any book in the language can be read. The progress of the pupil will now depend chiefly upon the degree in which he uses the talent he has acquired. At the beginning of the fourth section, the pupil translates from English into French in the manner which has been already described, which together with writing exercises, and holding conversations, in the French language with his teacher, he continues until the end of the course.

Experiments have been made in the fairest way that can be conceived, for the express purpose of putting the power of the system to the test. A number of individuals subscribed certain sums of money, in order that Mr. Hamilton might be enabled to have under his sole care and direction for six months twelve boys, of from twelve to fourteen years of age. It was stipulated that these boys should have had no previous instruction of any kind excepting in the elementary arts of reading and writing. Eight boys out of the twelve were obtained and placed under Mr. Hamilton's care. They were the children of poor people, selected on the sole ground stated in the extract we are about to cite. At the expiration of the six months the progress they had made was ascertained by a public examination, the result of which was recorded in the papers of that day. We give an extract from the *Morning Chronicle* of Wednesday, Nov. 16, 1825. "*Hamiltonian System*.—We yesterday were present at an examination of eight lads, who have been under Mr. Hamilton, since some time in the month of May last, with a view to ascertain the efficacy of his system in communicating

a knowledge of languages. These eight lads, all of them between the ages of twelve and fourteen, are the children of poor people, who, when they were first placed under Mr. Hamilton, possessed no other instruction than common reading and writing. They were obtained from a common country school, through the interposition of a member of parliament, who takes an active part in promoting charity schools throughout the country; and the choice was determined by the consent of the parents, and not by the cleverness of the boys.

“They have been employed in learning Latin, French, and, latterly, Italian; and yesterday they were examined by several distinguished individuals, among whom we recognized John Smith, esq. M. P.; G. Smith, esq. M. P.; Mr. J. Mill, the historian of British India; major Carnac; major Thompson; Mr. Cowell, and others. They first read different portions of the Gospel of St. John, in Latin, and of Cæsar’s Commentaries, selected by the visitors. The translation was executed with an ease, which it would be in vain to expect in any of the boys who attend our common schools, even in their third or fourth year; and proved, that the principle of exercising the attention of boys to the uttermost, during the process by which the meaning of the words is fixed in their memory, had given them a great familiarity with so much of the language as is contained in the books above alluded to. Their knowledge of the parts of speech was respectable, but not so remarkable, as the Hamiltonian system follows the natural mode of acquiring language, and only employs the boys in analysing, when they have already attained a certain familiarity with any language.

“The same experiments were repeated in French and Italian, with the same success; and, upon the whole, we cannot but think the success has been complete. It is impossible to conceive a more impartial mode of putting any system to the test, than to make such an experiment on the children of our peasantry.”

A branch of the Hazelwood School has been recently established at Tottenham, under the name of the Bruce Castle School. Of this institution we shall have occasion to speak, when we consider the government of boys, by far the most important, and unhappily the most neglected, part of education. In the mean time, in answer to inquiries which have been put to the heads of this establishment, in order to ascertain the result of their experience, with reference to the Hamiltonian system, we are able to lay before our readers the following statement.—“A system in principle strongly resembling the Hamiltonian had long been in use at Hazelwood, and is described in Public

Education, p. 127.* About nine months ago, however, the plan pursued by Mr. Hamilton was, to some extent, adopted at Hazelwood and Bruce Castle. At first it was introduced with great caution, and the whole proceeding was considered as an experiment : subsequently, however, it has been considerably extended and the greater part of the instruction given in the different languages, is now conveyed nearly in the manner pointed out by Mr. Hamilton. In this proceeding, however, we think it necessary to observe the following rules : 1. We do not allow our pupils to construe a single sentence Hamiltonianly, without at the same time satisfying ourselves that whilst they receive the signification of individual words, they also fully understand the aggregate meaning of the whole. With this view, we enjoin our pupils, when they come to any passage which they do not entirely understand, to announce their ignorance by some conventional signal, such as raising the hand : the teacher then gives the necessary explanation and the lesson proceeds. Further, lest any pupil should neglect such necessary application, the teacher himself directs occasional questions to any who may appear less intelligent or attentive than their class-fellows. These questions and explanations of course occupy some time : they however have the important effect of exciting the interest, and even of exercising the judgment, of the pupil, and they prevent the acquirement of a very common but a very dangerous habit, that of translating merely with reference to the words, without receiving any distinct ideas as to the matter. In the classes where the living languages are taught, these questions and explanations are given in the language under study, and thus become a direct means of conveying instruction. At first it is frequently necessary wholly or partly to translate them, but this necessity is soon removed by practice. To render this the more easy, a considerable portion of time is devoted in the lower classes to direct instruction in conversation. 2. We think it highly desirable that the pupil's attention should be directed for a long time to one author, in order that he may by continued practice, become familiar with the style, and prepare himself for overcoming its difficulties with ease. Indeed where the works of a particular author are not remarkably numerous or

* In recommending to the study of the reader the volume bearing the above title, in which the principles of the system pursued at Hazelwood and Bruce Castle, are fully developed, we not only perform an act of justice to the work itself ; but a service to the cause of education in general. That valuable work is gradually forcing itself on the attention even of distant countries, and we have a Swedish version of it now before us, entitled "*Allmän Uppfostran.*"—*Stockholm, 1828.*

dissimilar, we consider it better that the whole should be translated, and the rapidity of the Hamiltonian method generally renders it possible to accomplish this in a comparatively short space of time. 3. As soon as a class has acquired such familiarity with an author as to render the rapid perusal a matter of no difficulty, the pupils are allowed to work individually, each being furnished with a copy of his author, and with a dictionary: to this method, however, we do not resort until we find that the pupils can read at least as much individually as they can collectively. When the class proceeds in this manner, it is, of course, impossible that the teacher should examine each pupil upon the whole of his lessons; he demands from each an accurate translation of some particular part not previously notified, and in the remainder of the lesson he only selects the more difficult words, or asks a few questions as to the subject matter. With respect to the dead languages, this practice is of course confined to the upper classes: as regards the living tongues it extends much lower down. 4. We are careful to give regular grammatical instruction, that which many people suppose the Hamiltonian system to exclude. We do not mean to say that we compel our pupils to spend much of their time in learning the grammar-book by rote, or even in perusing that which they have previously construed, though neither of these exercises do we entirely neglect; but we give them regular practice in translation into the languages under study, and we take every opportunity of leading them first to understand, and afterwards to explain, any errors, which they may make. The initiatory books which we use for this purpose are, in Greek, Howard's Exercises and Dunbar's Exercises; in Latin, Macgowan's First Lessons, Ellis's Exercises, and Hunt and Clarke's English Version of Eutropius, and in French, Chevalier's Exercises. In order to prevent the barbarisms used in the Hamiltonian system acting upon the English phraseology of our pupils, we set apart a portion of the day for the performance of lessons where the old style of a more liberal construction is still retained: for our youngest pupils we make use of books with translations, such as the Hazelwood Phædrus, Logan's Corderius, or Cæsar's British Invasion, edited by Taylor. — Upon the whole, from what we have ourselves seen, we are of opinion, that Mr. Hamilton has made a most important improvement in the method of acquiring languages. We have met with many persons who have mistakenly supposed that the Hamiltonian system is a mere contrivance, by which the teacher manages to save his own time and trouble at the expense of his pupil's improvement. The fact, however, as will be found by experiment, is far otherwise. The Hamiltonian teacher has

every moment of his time fully occupied: he is called upon for constant care and attention, only, he has the satisfaction of feeling that his efforts are producing a distinct and important effect in the progress of his pupils. Whilst this system is of high importance even to the talented pupil, inasmuch as it enables him to proceed with increased rapidity, to his less fortunate neighbour it is invaluable, as it renders that tolerably easy which would otherwise be impossible."

Mr. Steven's little pamphlet, reports the result of an experiment, which shews that if any one chose to commence at an earlier period, with the teaching of grammar, and the practice of parsing, it is no difficult matter to do so in combination with the Hamiltonian method. The experiment was made in two classes, the first of which consisted of four boys, of from twelve to fourteen years of age, selected, not on account of their possessing any remarkable aptitude to learn languages, or any unusual habits of application, but because their previous acquirements were similar, and they were nearly of the same age. Three of them had made a little progress in the language previously, having read the prose of Valpy's *Delectus*, and possessing the acquaintance with grammar usual at that stage of advancement; but the fourth, and one of the elder, had never made any attempt to acquire any other than his native tongue, and his education in every respect had been much neglected. At the commencement of the Christmas vacation, 1826, they had translated Hamilton's first book, the Gospel of St. John. At the same period of the following year, 1827, they had read the following:—L'Homond's *Epitomes Historiæ Sacræ*; fourteen of the first Lives of *Nepos*; four books of *Cæsar's Gallic War*; *Sallust's Jugurthine and Catiline Wars*; four plays of *Terence*; first book of *Livy*.

An experiment of the success of this combination of the two methods, when applied to the Greek language, was begun at the same time with the two younger of this class: in the space of five months, though previously unacquainted even with the Greek characters, they had translated the Gospel of John, of Matthew, the half of Mark, and the half of the prose of *Dalzell's Analecta Minora*.

Two other boys, one eight years and a half old, and the other ten, whose previous education had been more carefully superintended, and who possessed at the commencement of the experiment, a tolerably familiar acquaintance with the inflexions of nouns, verbs, &c., translated within the period of fourteen months, the Gospel of John; *Epitome Historiæ Sacræ*; *Phædrus*, with the exception of a few fables; *Nepos*; *Cæsar's Gallic and Civil Wars*, with the exception of about half of the last

book of the latter; Sallust's Jugurthine and Catiline Wars; Livy, half of the first book; Ovid, 2,300 verses; and Virgil, the first book. Upon an average, they did not devote more than two hours and a half per day, to the Latin language, including the time they were so occupied with their teacher. Doctor Morell examined these boys, and bears the following testimony to their progress, and to the excellency of the system which secured it.—“I believe the great majority of boys who have read Nepos, Cæsar and Sallust, in the usual way, would be unable to translate them off hand, in any part, at the pleasure of the examiner, with as much accuracy and readiness, as was done by the M—'s for me; and they not only construed better, but shewed greater grammatical accuracy in parsing, than is commonly done at the end of three or four years, by boys several years older. What had been done by F——r at a later age was quite as satisfactory in proof of the working of the present plan; and F——'s gave good proof of its effect in Greek, as well as Latin. The result of what I have seen in these cases, and of what I have experienced in others, is an entire conviction, that, by combining the use of exact literal translations, with the study of grammar, and the practice of parsing, from the age of nine to eleven, so much may be acquired both in Latin and Greek, as will make the future progress easy, and certain; and what is of the greatest importance, this can be effected, not only without labour and attention* on the part of the child, but without any of that waste of strength, and hopeless endeavour to overcome unconquerable difficulty, which often and naturally produce an utter hatred of all learning in young children.”

It seems that the education of one of these boys had been much neglected in every respect. “He had never made any attempt at learning a foreign language—he was unacquainted with the principles of the grammar of his own:—his talents were rather below than above mediocrity—his previous acquirements of every kind were very small—he had no habits of application; and school, either from the injudicious treatment of the master, or some other such cause, had become his abhorrence, as a place of uninteresting toil and drudgery. He joined the first Latin class; and the interest which the study excited in him appeared to effect immediately an entire change in his character and habits. From the commencement, it seemed to form his delight—he was rarely seen from his desk, but at the

* We suppose the doctor has accidentally omitted some such word as “excessive” here.

entreaty of his school-fellows,—his books were his almost constant companions—he had entered upon the task voluntarily, and there was nothing to prevent his abandoning it, whenever he so pleased; but he never manifested the least desire to relinquish the undertaking. At the expiration of the first year, he read Terence and Livy in a very intelligent and gratifying manner; and as a further proof of the interest which he felt in this kind of study, and his eagerness to make himself master of the language, some weeks before the conclusion of the year, he had read for his own pleasure and amusement, without the knowledge of his teacher, and in addition to his daily employment, the whole of Nepos, within the space of *seventeen* days.”

We think we need not seek for further proof, that the time and labour saved by this system are extremely great; that the certainty of making the acquisition, if this system be employed, is absolute, and that for both these reasons, it is the imperative duty of those who are intrusted with the instruction of youth to avail themselves of it. We must not close this paper, although it has already swollen to a much greater length than we anticipated, without adverting for a moment to that modification of the system, suggested by Mr. Hamilton, by which the elementary art of reading is taught.

Who cannot recollect the ingenious expedients which were adopted by our good nurses and mothers to induce us to attend to our horn-books, and of the glorious resistance we offered to every contrivance that could be devised. What weeks and months, and even years passed away! what scoldings! what placings in the corner! what painful exhibitions, and now and then what painful applications, of the rod, did the acquisition of that vile art of learning to read cost, and during the process, what eager longings were endured after ball, top, marbles, kite, every thing in fact, but that abominable A was an Archer, so merry and gay, B was a Butcher, I dare to say. “Come hither, Charles,” is a modern invention, and introducing a child to a comparative paradise. We should opine that some time about the year 1849, all the little boys and girls in the country will have great reason to make mention of Mr. Hamilton in a thanksgiving in their morning and evening prayers.

“Five years ago, in the gaol at Montreal,” says Mr. Hamilton, “I formed the prisoners into classes: among them was an Englishman of twenty-five years, who did not know a letter. Having given the class the first lesson, I appointed one of the prisoners my substitute, and by him the lessons were continued three or four times a day, for ten days, at the end of which I

again visited them, and found to my astonishment, that the Englishman read his Testament with facility and delight, and to use his own words, blessed the day he had been committed to prison."

Here was an adult who did not know a letter, taught to read with facility in the space of ten days. Mr. Hamilton at once saw the value of the instrument he had been so fortunate as to obtain.

"Instead of beginning by teaching the prisoners above-mentioned, their letters," continues he, "by which six months are nearly thrown away, and afterwards oblige them to spell for six months longer, I gave each a single page of words of one syllable, such as they were perfectly familiar with, formed into phrases likely to be remembered, such as, 'the cat eats mice;' 'the dog hunts the hare;' 'John was a good boy.' In about fifteen such phrases, it was contrived to make all the letters of the alphabet enter. The teacher having given to each person his book, began to spell the first word loudly, distinctly, and articulately, pointing out each letter as he pronounced it to *one* pupil; t, h, e,—the; the second pupil repeats articulately t, h, e,—the; then follows the third, and so to the end of the class, each member following in his turn, and pointing to each letter as it is articulated by himself, by the teacher, or by another pupil. The first word having thus gone through the class, the second is repeated by the teacher, and goes its round of the class in like manner, and so to the end of the phrase: one round of the words will almost always suffice to enable any member of the class to know perfectly every letter and every word in the phrase; but if not, let the phrase be repeated. The teacher then *reads* the phrase, and is followed by every member of the class who reads it in his turn. A second phrase is then begun, and it will be found, that in about three quarters of an hour, four phrases will be so perfectly known, that the pupils will be able to take the words backwards as well as forwards, and to spell and read them with facility. In about three lessons of equal length, every member of a class may be taught with infallible certainty not only his alphabet, but to spell and read the whole of the phrases in his first book or page, and is then qualified to begin any other of the same kind, but more extensive, occasionally introducing words of two syllables, or even three if they are words which the pupil is already acquainted with. The history of Joseph, or any other little simple history may now be given him, and it will be found, that with three or four lessons a day, such as I have described, a child from seven to ten will in one month be able to read any part of the Testament with facility."

This account relates to adults or to children of seven years old or upwards : the plan suggested, however, is adapted to the instruction of the youngest child whom his fond mother is anxious to amuse. Sitting upon her knee, with the cat he has been in the habit of fondling, by his side, the infant as soon as he can speak, may in this mode be taught to read the sentence—"the cat eats mice." By varying the sentences so as to include all the letters of the alphabet, and by taking care that they all relate to objects with which the child is familiar, he may be taught his alphabet, enabled to read, and to spell every word he reads, at an extremely early age, and in an incredibly short space of time. And all this he may be taught, not as a lesson, but as an amusement, as an expedient to occupy his attention, and especially to exercise his faculty of imitation, the exercise of which affords at that age extraordinary delight, apparently as great as is derived from any source whatever.

No doubt it will be said, that it is useless to attempt a course of instruction at this early period, and that no time is ultimately gained by it. But the real question is, whether pleasure be a good : whether the gratification of which a sensitive and intellectual being is capable, ought to be cultivated, and whether it be just and wise to afford or to withhold the satisfaction which results from the exercise of its different faculties, from the earliest period those faculties are capable of exertion. If the communication of useful knowledge be in this manner the inlet to enjoyment—enjoyment which but for that information would not have been experienced, there can be no question that this early acquisition of knowledge is a good. We do not see how a regular and systematic course of instruction—that is regular and systematic on the part of the mother or teacher can be commenced too early, if to instruct a child be to amuse it with the greatest certainty, and with the most complete success. This above all others is the age for language. The occupation, the delight, of the infant is to make itself acquainted with individual objects, and to name them. The different organs which constitute the apparatus of the voice, are at this age so mobile, so obedient to the will, that they can be made to articulate any sounds whatever, with the utmost ease. Words and their pronunciation might thus be acquired to an indefinite extent in the period of infancy. The words and the pronunciation of any number of languages, which it could be thought desirable to possess, might in this manner be acquired at this early age, and by frequent daily repetition, might be retained in the memory. Grammar, of course, must form the object of a much later study, but at an age which has been hitherto almost universally thought incapable of any useful occupation, a *copia*

verborum of an indefinite number of languages, might certainly be acquired—acquired as an amusement, as a means of affording the child some of the most pleasurable sensations, of which, at that early period, it is susceptible. Those who have interested themselves in the establishment of infant schools, and have observed the operation of these institutions, although they were first set on foot merely to promote the physical comforts of the children of the poor, to secure them from the contamination of vicious example, to save them from the wretchedness, inseparable at their tender years from neglect, to give them a taste for cleanliness, to keep them warm in winter, and to train them to habits of attention and order, entertain no doubt that they might be made the instruments of accomplishing much more important results. They have a natural connection with, and they might be made essentially subservient to, the objects pursued in national schools. As a medium of conveying the instruction to be communicated in an infant school, as a means of exciting the attention, and maintaining and perfecting what may be termed, the pantomimic part of the apparatus, which in practice is found to be so serviceable, the plan suggested by Mr. Hamilton is admirably adapted. The interest, the delight which the children take in the occupation, without regarding, without knowing the end in view, are most remarkable. Mr. Skene, who has taken a particular interest in this humble department of instruction,—humble if the quantity of knowledge communicated on any one day to any one individual be considered, but most important, if the ultimate amount to all be regarded, received in the year 1825 at Florence from the school of Chiara, superintended by the master Signor Abate Bracciolini, twelve boys of from six to eight years of age. All these boys knew the letters of the alphabet, but nothing more. Mr. Skene began by making them repeat after him, in the manner described by Mr. Hamilton, words which were familiar to them, arranged in sentences of the most simple structure. This process was repeated daily. In the space of a fortnight, every one of these boys had learned to read. This fact was established by a public examination of the class, in the presence, among others, of the marquis Pucci, the marchese Tempi, and a Neapolitan gentleman. Mr. Skene states that the most remarkable circumstance attending this experiment was, the happiness of the boys themselves, whose surprise and delight at the achievement they had accomplished, they could not conceal, and scarcely knew how to express. Of this we can well conceive, for there is no age at which the acquisition of knowledge is not a source of satisfaction

to a child, and the more it receives, the more happy it is. Mr. Skene was requested to arrange on the same system the school of the count Bardi, which he did by training some of the more advanced of the boys for monitors. We have seen accounts from Florence, of a recent date, in which it is stated, that these schools continue to flourish; that the system has been extended to other schools, and that the still further extension of it is probable. In a school in Lordship-lane, Stoke Newington, established, we believe, chiefly by the exertions of William Allen, the system has been in part adopted, not completely, and therefore not with full success: yet the master of this school states, that he usually teaches the youngest children the letters of the alphabet in the course of three days, and that they learn to read with a proportionate rapidity. The process of instruction, when conducted in a rational manner is, it cannot be too often repeated, a source of gratification. If this process can be better conducted, if this gratification can be rendered greater, (of which there can be no doubt) in large numbers, we do not see why the children of the poor should exclusively enjoy the privilege. We do not see why there should not be infant schools for the middle and for the higher classes, to which children might resort for a certain number of hours every day, for the purposes of health and amusement; that is, for being trained to exercises fitted for their years, and for receiving instruction adapted to their capacity. Were such schools to become general—were every thing done in these schools which might be done for the acquisition of language in the manner and to the extent already indicated,—were every thing done in these schools which might be done to make their active, noisy, but happy inmates, perfect masters of any two of their members, their hands, as applied only to two arts, those of writing and drawing—to look no further at present than this—if only this were done, what would be the result, when children thus instructed entered into higher schools, prepared in like manner to receive them, and to carry on the work begun. That result it is impossible to trace at present. We shall, however, return to the subject, which the more we dwell upon, the more deeply we feel to be connected with the truest welfare of mankind.

- ART. III.—1. *Mémoires sur l'Impératrice Josephine, ses Contemporains, Cour de Navarre et de la Malmaison.* Tome 1 & 2. Paris. 1829.
2. *Mémoires sur Napoleon, l'Impératrice Marie-Louise et la Cour des Tuileries, avec des Notes du prisonnier de Sainte-Hélène.* Paris. 1828.
3. *Mémoires sur la Cour de Louis Napoleon, et sur la Hollande.* Paris. 1828.
4. *Mémoires Anecdotiques sur l'Interieur du Palais, et sur quelques événemens de l'Empire depuis 1805 jusqu'en 1816, pour servir à l'histoire de Napoleon.* Par L. F. J. BAUSSET, Ancien Préfet du Palais Imperial. Tome 3 et 4. Paris. 1829.

THE subject of these volumes is the Imperial court of Napoleon: they form altogether a very tolerable account of the Bonaparte family, of the two empresses, and their respective adherents; and give an amusing and sometimes an instructive description of the persons and things which went to make up the gorgeous pageant now passed away. All of them abound in personal anecdote, excepting the volume which regards the king of Holland (which is a political view of Louis's short reign, and differs in its nature from the others), in characteristic sayings, and piquant sketches of the social condition of France, or at least of the higher classes of Paris, under the sway of Napoleon. The first has for its text the character of Josephine; it may be inferred, that it is written by a niece of Madame de Genlis, a daughter of her brother, the marquis Ducrest. In company with her mother on the return of the family from emigration, she made a long stay with Josephine at Malmaison and Navarre, the two residences of the ex-empress after the divorce. Josephine treated her with great kindness, and more than even her ordinary affability, so that she possessed some good opportunities of observing closely the disposition of a person who had shared the early fortunes, and subsequently the throne, of the most extraordinary man the world has seen, and who was afterwards called upon to make one of the greatest sacrifices ever demanded at the hands of a woman. The retired court of Josephine was frequented by many remarkable persons, and partly from the stores of the ex-empress herself, and partly from those of her family and friends, Mademoiselle Ducrest had before her a fine harvest of materials for compiling a work of personal history. The situation of Josephine, too, was one of peculiar difficulty and delicacy; and it is a lesson in human nature, to consider the admirable manner in which she conducted herself under the trying circumstances of her situation. We are pleased with Mademoiselle Ducrest's book, but we are

by no means in love with the authoress; she is spiteful, and generally prefers the scandalous side of a story. Being of a noble and emigrant family, and at the same time enjoying the favour of the imperial government, she finds some trouble in reconciling her position with the fidelity due to the Bourbons. She loved Josephine, considered the dignity of France settled under Napoleon, and cherished the "souvenir" of the Bourbons; since their return, of course the souvenir is converted into a more substantial kind of loyalty:—this gives the writer a truckling and time-serving air; she is, moreover, always complaining of her "horrible misfortunes," and, in short, when she is not telling a story she is very disagreeable. We recognise a family likeness to the celebrated Madame de Genlis, who, by the way, has adopted, her niece tells us, an admirable plan of preserving her repose; the moment she finds her name mentioned in a book, whether for praise or blame, she lays it down, never more to take it up.

Madame Durand is a more straight-forward person, and, as we should think, a more amiable one; her book is not so full of *mots*, but it contains more information. It abounds with minute details respecting the private life of Napoleon and the empress Marie Louise, and affords ample materials for estimating the personal character both of the emperor and his imperial spouse.

The Comte de Bausset is every inch a *préfet du palais*; faithful, flattering, precise, ceremonious, minute, courteous, and gallant. He served both empresses, and speaks of both in the language of respectful affection; if he prefers the last one, it is only from her more legitimate claims to be served by a noble menial. It is true, he never sees either, except in the most gracious point of view; has no ear but for the sweetest accents, and seems unconscious that a crowned head is ever out of temper or in error.

Bausset is a kind of French Boswell: his office placed him in honourable attendance at every imperial meal; he accompanied his master on his foreign expedition, and always preceded him to prepare his residence in company with the other grand officers of the household. In Spain, Bausset was discovered to know Spanish, and the emperor employed him in translating the intercepted correspondence. Since that time up to 1814, Bausset was a favourite, and something of a confidant; he had an undissembled respect and affection for his master, and his report of his private life is exceedingly agreeable and intelligent, and it is written with courtly elegance. It must be remembered that Bausset is a gentleman of family and

education ; and, though he stood by the side of Napoleon's table while he was at dinner, this was reckoned a service of honour, which at the time half the emigré nobility would have been too glad to accept. On one occasion, indeed, he was called upon for a more substantial exercise of his functions. When Napoleon communicated to poor Josephine his decided intention to divorce her, she was seized with a violent fit of hysterics. The emperor greatly agitated, and yet anxious to avoid the circumstance getting wind, called Bausset in, and asked him if he thought he had sufficient strength to take the empress up from the floor and carry her to her own apartments. The passage lay down a very narrow winding stone staircase ; the emperor led the way with a candle, and M. de Bausset succeeded, though at the risk of tumbling the whole party down stairs together. Mademoiselle Ducrest paints him to the life in a red velvet coat, very stout and large, with a fat formal wife in a gown of the same stuff that decorated her husband's portly form. An anecdote he tells of himself is also highly characteristic. When at Vienna with the second ex-empress, one sultry evening, he was walking in the gardens of the suburbs. Separated only from him by some shrubs, were three ladies who were talking together ;—"Oh, that I had that bright moon," said one of them, "or rather him who could give it me."—"I am sure," said another, "it is not any of these sleepy Germans who pace about here, thinking of nothing but their pipes, that you can expect to give it you."—"The moon!" said the third, "I had much rather have an ice;" all the ladies agreed that ices in the garden would be charming. The Comte de Bausset glided away to the confectioner's, and in a few minutes a tray of ices and fruits was spread before them. The ladies demanded of the confectioner to whom they were indebted ; he pointed out M. de Bausset, and they had, he says, the "inexpressible politeness" to insist that he should share his own refreshments. The ladies, M. de Bausset knew very well, were the countess Suvarov, and two nieces of prince Narishkin. The first and second volumes of his anecdotes appeared about a year ago ; the third and fourth were put into our hands as we were reading the "*Mémoires Contemporains*." The writers of these several works are all in different interests, and according to their fortunes have different partialities, but it is satisfactory to find, that in the main they all agree ; more especially are they in accord respecting the personal character of Napoleon. Madame Durand is especially minute on this point ; so much so, indeed, as to have excited the ridicule of some of the pretended wits of Paris, who find it convenient now to laugh at details respecting a man

whose old boots, a short time ago, they would have fallen down and worshipped.

The most minute details respecting great men, that is to say, men who tower over their generation in power of any kind, have ever been objects of universal interest. While we record with care that Alexander was crooked-necked, and Cæsar bald, why should we laugh at Madame Durand, who tells us that Napoleon soiled several pair of white casimere breeches every day, so careless was he in his eating? M. Biot, the celebrated mathematician, in his *Life of Newton*, tells us that that great philosopher when he lifted his cover and found nothing under it but the bones of the chicken, which the lover of the cook had just sumptuously been picking, he exclaimed, "Well! I did not know I had dined." And may not then M. de Bausset tell us, that Napoleon, when working in his closet, sometimes kept dinner waiting till eleven o'clock at night, and that in the mean time twenty-three pullets were successively roasted and served up, that one should be hot at the moment of his entering the room, or why should we not listen to Madame Durand, who informs us that the emperor frequently forgot that he had drank his *demi-tasse* of coffee after dinner, and asking for it again, would maintain that it had never been given to him? The truth is, that in spite of grave philosophers and formal critics, such details always were and always will be interesting, when they relate to a person who has so distinguished himself above his fellow men, whether for good or evil, as Napoleon Bonaparte. Relying at any rate on our own feelings on the subject, we shall give an account of what has amused and interested ourselves in the perusal of these volumes, the main object of which is to inform the world of those small particulars which slip through the great net of history.

Madame Durand's *Memoirs of Maria Louise*, have an advantage above the rest, arising from the MSS. having been perused by "the prisoner of St. Helena" himself, as it is now the fashion in France to call Napoleon. Whenever he considered that an anecdote was unfounded or incorrect, he has very laconically expressed his opinion in the margin: he invariably under such circumstances inscribed the word *faux* at the end of the paragraph. These passages, Madame Durand has had the candour to distinguish from the rest, and has added the important commentary. She does not, however, always bow to Napoleon's authority in silent humility, but maintains that his good nature often led him to disbelieve anecdotes prejudicial to his friends, on the sole ground that he could not tolerate the idea of their truth. Be this as it may, this con-

demnation of a part of Madame Durand's narrative, confers an authenticity upon the remainder. If further testimony in her favour were wanted, it is supplied by the following fact. The duchess d'Angoulême, with praiseworthy courtesy, caused it to be intimated to the ex-empress Maria Louise, that if there were persons left behind in Paris, whom she wished to be protected, she, the dauphiness, would take care that their interests should be attended to. Maria Louise sent a list of four persons, three men and one woman; the woman was Madame Durand.

But, to proceed to the conduct of Napoleon. The great mistake of Napoleon was, not to perceive that his majesty or royalty was altogether of a different nature from that enjoyed by his crowned brethren: that his power, founded on totally different principles, was to be preserved by totally different means. He well knew that in other states "the divinity that doth hedge a king" was mainly protected by the ceremonial of courts, by the splendor of palaces, by the number of titled valets, by the difficulty of approach, by the crowded anti-chamber, and the luxury of dress and equipage. All this undoubtedly serves to blind and delude a people: but it was by no means the interest of Napoleon either to blind or to delude on any subject save that of national glory. There was sufficient to impose in his genius, his power, his conquest, and his designs; and he betrayed a culpable weakness when, forgetting his proper claims to respect, he began to labour at an ungraceful imitation of the old pride of hereditary kings, their nonsensical ceremonies, their absurd exclusions; those stupid attempts to draw a distinction between one man and another, as if between beings of two species. All this might be ingenious enough as a part of king-craft; but Napoleon should have known that king-craft was not his trade. His power grew out of the extinction of the old parade, and he should have sought better models for his display than the traditions of the old obsolete Bourbons. Instead of raking the Faubourg St. Germain for *revenants*, who could tell him how the Capets used to dine and drive, he should have formed his *entourage* of the persons who represented the modern as opposed to the ancient era. The genius of his rise forbade any distinctions besides those of merit. Aptness in a man for the situation in which he was placed ought to have formed the ground-work of his hierarchy; and if he had any favouritism it should, consistently with his circumstances, have been bestowed on nothing, save military or ministerial talent. He had no sooner, however, arrived at the possession of supreme power than he sought the consecration of the

church, simply because his predecessors had obtained it. He then set about having an imperial court; and, not content with this, attempted to legitimize his condition by procuring an imperial consort. All this was miserable weakness, and forms a remarkable defect in the calculations of this extraordinary man, which may be looked upon as one chief original cause of his fall.

“It is a hard trade, that of a king, if one has not been bred to it,” said Eugene de Beauharnois, the Viceroy of Italy: who like his mother, was the determined enemy of Etiquette. The eternal announces by the usher as he entered the room; the pain of seeing every body rise as he approached; and, to his amiable disposition, the consciousness that his presence threw a damp upon every natural expression of feeling, were bitter distinctions for one not steeped from his infancy in royal egotism. This amiable man would often run through a pelting shower, and get in at the garden window to avoid the formality of his entrance through the chamberlain’s door;—nothing gave him greater pleasure than when he was permitted to pass to Italy *incognito*. Josephine, too, gladly would have got rid of the ponderous ceremonies with which the emperor surrounded her, even after the divorce. But, when she at one time permitted her equerries to ride by her carriage without their state dress, and dispensed with her guard, her *dame du palais* received a severe rebuke from Napoleon, who was informed of every thing, and who begged the ex-empress’s court to remember that she had been *sacrée*. As if for further punishment he immediately added twelve pages to Josephine’s establishment. Josephine used to observe, that in spite of her great familiarity with the usages of society, at the time of the institution of the imperial court, she felt very much at a loss in attempting to conform to the intricate ceremonies of a court: whereas Napoleon himself played with them as if he had been accustomed to such pageantry from his infancy. The fact is, that he had made them, he had studied ceremonials, had arranged them to his own satisfaction, and absolutely compiled a book of them, a kind of Court Guide, to teach the gentlemen and ladies, the *valets dorés* of his palace, how to cross a room, to rise, to present, to depart, to wait, to promenade. His court was for a long time his hobby, and he pleased himself with regulating it according to his own notions of royal splendor. He first of all determined that his court should be moral: on this point he was very fastidious: ladies who had lived with their lords before the contract had been made final, though afterwards married, were only presented once on that occasion, Madame Talley-

rand, for instance: the Prince, it is said, tried some of his diplomacy to avoid the dire necessity of being married at all: but the emperor was absolute. A divorcée was always discountenanced; and in any case, if she happened to fall into his way, his imperial displeasure was shewn in a manner not to be mistaken. The beautiful Madame de Canisy was dying to marry Caulaincourt, who was equally anxious for the match; the emperor was inflexible. The lady came one day to the ex-empress, her beauty bathed in tears, to beg her intercession. It was refused, for Josephine knew it would be in vain. The only divorce permitted in what had been her court was her own, a reflection that could not fail to strike her with force.

Then the emperor would have his court splendid as well as moral; he always treated the women who dressed magnificently with especial attention, and his eye never failed to catch any deficiency in this respect. He had a peculiar quickness in observing any thing curious or beautiful in the manufacture of the habiliments worn at his court: a sharpness perhaps quickened by his obstinate perseverance in his continental system. A piece of British *fabrique* never failed to throw him into transports of rage. Even the empress herself could not escape his censure in this respect: both Josephine and Maria Louise smuggled a little, and both were dreadfully afraid of being found out. Expense of every kind was encouraged in all his courtiers; the individuals who were given to saving were made the subjects of his ridicule. This partly arose out of his desire to force the French manufactures, as well as from his determination to have a brilliant court. Wealth and beauty he considered indispensable attendants at the Tuileries; and, as few have the good luck to combine them, the emperor stood in the place of fortune to bring about their union. He made such matches as pleased him, and never consulted the inclination of the parties: *les convenances* alone in his opinion were to be attended to. Numerous instances are recorded of his arbitrariness in this respect. A court so oddly composed as the imperial court of the Tuileries necessarily required some keeping in order, and it often demanded all Napoleon's firmness, as well as his exactitude in matters of representation, to regulate it after the approved models. Napoleon had not only a political motive in attracting about him the old royalist emigrés, but he found them, as he thought, necessary in the shape of examples to those who were by no means familiar with the usages of courts. With this view it was, that he received with such distinguished favour Madame de Montesson, the wife, by the *left hand*, of the old duke of Orleans. She was not only acknowledged as royal, but the liberality of the

emperor restored her to the precise condition in which she would have been, had no revolution taken place. He requested her frequent presence at court, and told her they had need of some traditions at his court. It is true indeed that something of the kind was indispensable, if as it is said Lannes, who detested the emigrés, and ridiculed the imperial titles in the coarsest language, one day drew his sword to make his way through an anti-chamber crowded with returned nobles and new made dukes. Against this anecdote, however, Napoleon has set his mark of falsehood. Instances of brusquerie, however, necessarily occurred in a court partly made of old soldiers like Lannes and Rapp; and cases of vulgarity are still less to be wondered at, when it is recollected that the wives of some of the Marshals of the empire had risen with their husbands from the ranks. The wife of marshal Lefebvre had been a nurse: but she was one of those who took no pains to conceal her origin. She was frank as well as vulgar; and the roughness of her manners, when set off by the careful polish of more pliable persons, often amused the court. It was not always the case, however, that the emigrés vindicated their claims to be considered as models of manners. We learn that some of those selected to serve Napoleon in his palace used to consider that their best manners were by no means indispensable at the Tuileries. Their pride, their misfortunes, and their ignorance, sometimes appeared to great disadvantage by the side of the brilliant qualities of some of the brave and polished youths, who had grown up amidst the successes of Napoleon.

The court of Napoleon was assuredly a motley mixture; and, as might be expected, since it was a *parvenu* who would have a court a strange raree-show. There was the rubbish of the old aristocracy, the soldier-duke, the republican orator turned imperial minister, legislators famed for creating constitutions, now remarkable for courtly adulation, together with all the rout of gingerbread kings and hereditary princes, arriving every day to pick out a wife from *cidevant citoyennes*, or a province from the conquests of the *sans culottes* of Paris.

Yet, with all this love of splendor in his court, it would be difficult to find a man with simpler personal tastes than Napoleon. In the midst of all the luxuries of the table which French invention could supply, he almost invariably dined upon a grilled breast of mutton, or a roast chicken; and, when his courtiers were sparkling in stars and diamonds, the little man in the *redingote gris*, and the three-cornered hat, was the more conspicuous, from his excessive simplicity. The libels of England used to represent him as a sort of monster at home: every thing,

however, from the MSS. of St. Helena, down to the very last publication concerning him, tends to shew that it is impossible for a great man to have been more truly amiable in the centre of his family. His fault was excessive playfulness, and he must be a very severe censor, who calls it a fault at all. He would, for instance, in the country, play at *leap-frog*, and he even enjoyed, after he became fat, the game of blind-man's-buff. It is true, that he would sometimes miss the grand-marechal, and roll on the floor; he did not, however, consider his dignity soiled, and would resume the sport with the same hilarity. When he entered a room, it was not unlike him, to cover with his hands the eyes of any young lady whose back happened to be towards him; and then demand who it was that had taken such a liberty, in a manner not wholly unknown amongst playful people on this side of the water. The pages used to consider him as a father: he invariably *tutored* them, and gave his favourites his various little nicknames. His enthusiasm for his child, indicates at least an amiable parent; and when the little fellow grew, the liberties and privileges he permitted him are full of the most pleasing paternal fondness. To both his wives he behaved with the most affectionate tenderness: he expected indeed to be obeyed in important matters, and it was not a hard task to submit to the master of the world, *minus* Great Britain.

But with the aid of Madame Durand, we will descend to particulars; and contrive by examples, rather than by speculation, to give an idea of the personal habits of Napoleon, and the manners of his court. There is necessarily something miscellaneous in the character of such a compilation; let it be sufficient, however, that the facts throw light upon the main subjects, even if their connection with each other is not very obvious.

'Napoleon' (says Madame Durand) used to bathe every day,* rubbed his person all over with Eau de Cologne, and sometimes changed his linen several times in the course of the twenty-four hours. His favorite costume was the undress of the horse-guards. While travelling every thing was good enough; no lodging too bad, provided the smallest possible quantity of light was not admitted into his bed-chamber: he could not even support a feeble night-lamp. His table was covered with the most curious dishes, which he never touched: a breast of mutton grilled, mutton-chops, a roast chicken, and beans, were the food he preferred above all others, and from some one of these he would dine. He was particular in the

* His affection for the bath was great; he was in a bath when his child was born, and came running to the room, almost without waiting to dress. Persons who visited his house at Elba, found that he had just taken a bath before his departure.

quality of his bread, and never drank any but the best wine, but of that an exceedingly small quantity. Much has been said of his abuse of coffee; it is a fable to be classed with the numberless others which have been told concerning him: he never took more than a single small cup after his breakfast, and the same quantity after his dinner. He ate with great rapidity, and rose from table the moment he had finished, without giving himself any care whether those who were admitted to dine with him, had time to finish their dinner.* It has been said, that he took the greatest precaution against poison: now it turns out that he did not even take enough, in the opinion of his friends. Every morning his breakfast was carried into an antichamber into which every body was admitted who had obtained a rendezvous; these persons had often to wait there a long time; and the dishes, kept hot, remained often there several hours, until he gave the order to have them served. They were carried by footmen in covered baskets; but nothing in the world appears to have been more easy than to slip poison into them, if such had been designed.

He used to talk loud; and when he was in good spirits, his hursts of laughter might be heard at a great distance. He was fond of singing, although he had no voice, and was never known to sing in tune. His favorite songs, were "*Ah! c'en est fait je me marie;*" or, "*Si le roi m'avait donné Paris sa grandville.*" —*Darand*, 39.

Gay and familiar in the retirement of his court, he was fond of pulling people by the ear, pinching their cheeks; as he often did to marshal Duroc, Berthier, Savary, and several of his other aidecamps. He has been seen, while the empress (Marie Louise) was dressing, tormenting her, and pinching her neck and her cheek. If she grew cross, he would take her in his arms, embrace her, call her *grosse bête*, and peace was made. Whenever the emperor directed any of his pleasantries to Madame de Montebello, she repulsed him with illnature, and he instantly ceased.

His love for the chase is well known. The prince Berthier, at that time master of the hounds, was also partial to it; but he preferred to hunt on his own estate of Grosbois, rather than with the emperor. One day, when his attendance was commanded, Berthier came to the emperor as he was getting up: "What sort of weather is it?" asked the emperor, "Bad," said Berthier: "How will it suit the hounds?"—"Ill, for no scent can lie."—"We must put it off, then." The order was given: at eleven the emperor came to breakfast with the empress. The sun shone brightly (it was in February). It was agreed that

* This was certainly not polished: but he esteemed very lightly the pleasures of the table, and did not consider that he was depriving any one of pleasure. He used to say, says de Bausset, "that he who eats any dinner at all eats too much." He reckoned of course upon a meat breakfast,

they should take a turn on foot, and take Berthier with them. He was called, and the emperor then learned that he had gone to hunt at Grosbois. He laughed excessively at the mystification which Berthier had played upon him, and promised never to apply to him again for a report of the weather.

Every year he arranged his domestic expenses ; he separated and added together each description of expenditure, discussed the items, and when he had formed his total, he would still retrench twenty, thirty ~~or~~ forty thousand francs, saying, that that was enough, and that it must do.

In vain did the grand-marechal, the grand-equerrie, the master of the hounds, the grand chamberlain, complain and make representations. They were useless : nevertheless the duty was done at the reduced price.

M. de Remusat lost the place of grand master of the wardrobe by an accident, which shews the order which Napoleon insisted upon. He had allowed for the service a sum of twenty thousand francs, which he often found insufficient. The emperor who always wore white casimere breeches, used to change them several times a day, for, being exceedingly absent at his meals, he soiled them, as well as his other clothes ; they were therefore, necessarily often cleaned and renewed. There resulted a deficit which M. Remusat dared not declare. The tailor, tired of waiting, addressed a petition to the emperor, who flew into a violent passion on being informed that he owed thirty thousand francs to the tailor. The tailor was paid, and the direction of the wardrobe given to M. de Montesquieu. " I hope," said the emperor to him, " I hope M. le Comte, that you will not expose me to the shame of being dunned for the price of the breeches I have on."

Napoleon never wrote a good hand, and latterly it had become quite illegible. It was moreover so excessively blotted, that Mademoiselle Ducrest, who only saw the letters he used to write to Josephine at a distance, fancied that he wrote upon paper adorned with vignettes. His secretaries alone could make out what he meant. His signature degenerated so, that it was at length only possible to distinguish the three first letters. The place of first secretary to Napoleon was a place of incredible fatigue. M. de Menneval filled this office for ten years : at length the emperor handed him over to the empress Maria Louise saying, that he was the most faithful and estimable man in the world, but that he had killed him with labour. In fact there never passed a night that he did not call him up to dictate something to him, and frequently many times in the night.

In confirmation of the proverb that "great events depend upon small causes," it may be remarked that Napoleon's extraordinary faculty of sleeping when he pleased, gave him the power of devoting a great part of the night to intellectual exertion, at moments when time was of the utmost importance. He ordinarily went to bed at ten o'clock, and rose from one or two, worked till five or six, bathed, dressed, gave audience to some persons, breakfasted at ten, and recommenced his work about noon; he afterwards went to the apartments of his wife, or took a walk; but when time was important, he remained at work till evening. In the course of the day he would frequently come down to see the empress, and they would go together to visit the child. If Napoleon had a little time to himself, after having gossiped, embraced his wife, and played with his child, he would throw himself into an arm chair, and even while speaking would drop into a profound sleep: he only awaked when some one came to say that he was expected. He dined every day between seven and eight o'clock alone with the empress; on Sundays there was a family dinner. This was etiquette and inflexibly preserved, excepting sometimes the duchess de Montebello (Madame Lannes, the empress's lady of honour,) or Madame de Lucay, (her tire-woman) were admitted.

Napoleon insisted upon the ladies of the household giving up the reading of Romances; consequently they hid them whenever he approached. He had charged his librarian, M. Barbier, to make a selection of books, and send them to Maria Louise. M. Barbier placed amongst the rest, the Satires of Juvenal. The emperor arrived at the moment they were received, and perceiving this work, he was very angry, saying, that it was by no means a fit book to put into the hands of young women. He gave them to understand, that in future all the lists should pass through his cabinet, and issued directions to that effect to the librarian, who was sharply rebuked.

The time after dinner, when the ladies and gentlemen in waiting were admitted into the saloon to the empress, Napoleon used to spend chiefly in another room adjoining, where there was a billiard table for the empress. Here he would talk and play with one or two of his ministers. He played excessively ill, and talked all the time; and it was there ordinarily that he used to express his anger when he had any thing to complain of. His voice alone was heard, it was rarely that any body answered. Indeed his was the only voice that could be distinguished; for, though the saloon was filled with courtiers, and all were talking, it was in so low a tone according to the usage of the old court, that no particular person made his voice distinguishable.

When Joseph was placed on the Throne of Spain, the grand duchess of Berg, Murat's wife, the sister of Napoleon, and afterwards queen of Naples, complained bitterly that she had not had a crown put upon her head, Bonaparte answered her in his well-known ironical tone, "Madame, I am astonished at your complaints; to hear you speak, one would think that I had cheated you of the succession of the late king, our father." Napoleon never shrunk from allusions to his origin: and an adroit reference to his early life, was one of the surest modes of conciliating him. At the famous interview at Erfurt, when dining with the emperor of Russia and an *élite* of kings, he began a sentence with, "when I was an ensign in the regiment of la Fère;" M. de Bausset, who stood facing the royal diners, within a few feet, tells us that these words produced a lively emotion among the crowned heads: a shudder, we suppose, ran from one end of the line to the other, to think of the lump of illegitimacy they were cringing to. Much has been said of the pomposity of Napoleon's bulletins; and some harsh observations have been made upon certain flaming inscriptions on public monuments: M. de Bausset assures us, that we are not to blame Napoleon for them; and gives himself a specimen of the purity of his taste, and the hatred he bore to vulgar flattery.

After Bonaparte's return from the campaign of Austerlitz, M. Denon was introduced to him at breakfast, with his hands full of medals. The series of these medals commenced at the departure of the army from Boulogne for the Rhine: the first had on one side the head of Napoleon, and on the reverse an eagle grasping a leopard, English. "What does that mean," said Napoleon. "Sire," said Denon, "that is the French eagle choking in its claws a leopard, one of the attributes of the arms of England."—"I was in an ecstasy of delight," says Bausset, "when I saw the emperor throw the medal of gold violently to the bottom of the saloon, saying to M. Denon, "Vile flatterer! how dare you say that the French eagle chokes the English leopard. I cannot put a fishing-boat to sea, but the English seize it.—It is the English leopard, I think, that chokes the French eagle.—Have this medal melted directly, and never present me with another like it!" Running over the other medals, and taking up the one of Austerlitz, he found fault with the composition of it, and again ordered poor M. Denon to have it melted.—"Put only on one side, "Battle of Austerlitz," with its date, and on the other the French, the Austrian, and the Russian eagles. We need not tell posterity, which was the conqueror."

A great many fables have been told of Napoleon's infidelities,

while most of them had little or no foundation ; there is small reason, however, to doubt that his conduct was capable of improvement in that point. Madame Gazani, a person of uncommon beauty, was taken from the théâtre of Genoa, and transferred to his household. Tired and disgusted with his new favourite, he came one day to Josephine, and abruptly desired her to dismiss her instantly. "No, I shall keep her—we may be companions in sorrow soon" (the divorce about this time began to be darkly hinted at). "Only," said her husband, "keep her out of my sight."—She became the *lectrice* of Josephine, and lived with her at Malmaison and Navarre. With Madame Grazzini, the celebrated opera singer, Napoleon had also a *liaison* ; which was attended with a circumstance of some drollery. La Grazzini was brought to Paris, had a magnificent income allowed her, and was lodged in a splendid hotel. The visits, however, which Napoleon made to her, were hurried and in secret. This was not the manner in which a woman like Grazzini, the child of passion and caprice, chose to be loved. She took the usual revenge, and conceived, in the Italian manner, that love levelled all distinctions. With the emperor she grew dissatisfied ; and her wandering fancy settled upon Rode, the celebrated violin player, who was deeply enamoured in his turn. The lovers despised the watchfulness of marshal Berthier, and committed themselves in a way that came to the emperor's ears.

Napoleon one day summoned Fouché, then minister of police, and told him, that he was astonished that a person of his noted dexterity did not do his business better ; and that things were going on, of which he knew nothing."—"Yes," said the minister, "there are things which I was ignorant of, but which I know now—for example, a little man, in a three-cornered hat, wearing a blue frock-coat, leaves the palace every second day ; returns between eight and nine in the evening, by the small door of the pavilion Marsan, above the kitchens, and, accompanied by a single person, taller than himself, but habited in the same manner,* gets into a hackney-coach, and goes straight to rue Chanteraine, No. 28, to the house of La Grazzini : the little man is yourself, to whom this singular opera-singer is unfaithful in favour of Rode, the violin-player, who lodges in rue du Mont Blanc, *Hotel de l'Empire*." As soon as he had done, Napoleon, turning his back upon the minister, began to walk up and down, with his hands behind him, whistling an Italian air ; and Fouché retired without adding another word.

It seems, that at the chateau of Compeigne, there was a suite of rooms on the lady's corridor, which did not appear to form any part of it; the only entrance to which, from the gallery, was by a secret door in the wainscot. The rooms were beautiful, and looked upon the park: they had a delicious and extensive view; were furnished with taste, and had every ornament which an elegant luxury could devise. Although they were at a considerable distance from the apartments of the emperor, they communicated with them by a secret stair-case. Madame Durand had seen these apartments after the second marriage of Napoleon; when, she observes, they had become useless. We certainly do not mean to justify Napoleon's moral irregularities; but we cannot help observing, that if the lives of all men, exposed to such temptations as constantly beset Napoleon in the height of his power, were as narrowly scrutinized as his have been, that something more flagrant would have been discovered than this poor imitation of the *Parc aux Cerfs*.

Of the arbitrariness of Napoleon, even in the earlier stages of his power, Mademoiselle Ducrest tells an amusing story. At the time of the expedition to St. Domingo, Bonaparte wished to confide the command of the troops to his brother-in-law, general Leclerc, (who had married Pauline Bonaparte). He sent for him into his closet, and declared his intentions.

"I should be happy to serve my country again," said Leclerc, "but, general, a sacred duty detains me here." . . . "Your love for Paulette? She shall follow you, and it will do her good: the air of Paris is mischievous; it is the atmosphere of coquetry: she has no need of it, and will go with you, that is agreed."—"Without doubt, I should be in despair to leave her; but this reason would not be sufficient to induce me to refuse an honourable command. My wife would remain surrounded by a family who love her. I should, therefore, have no anxiety for her; it is the fate of my excellent sister, which obliges me to reject that which, under other circumstances, would be an object of my desire. She is young, pretty; her education is not entirely finished: I have no fortune to give her: can I leave her without protection, when my absence may be long, eternal. My brothers are not here: it is necessary, therefore, for me to remain. I rely on your own feelings; so devoted to your feelings, general, can I do otherwise."—"No, certainly. She must be married promptly—to-morrow, for instance, and go directly."—"I repeat to you, I have nothing to give her; and"—"Well, well—I know that—come my friend, make your preparations. To-morrow your sister shall be married—I know not yet to whom—but that is no matter. It shall be—and very soon"—"But"—"I have spoken, and as I think clearly—so no observations." General Leclerc, habituated like the other generals, to regard him as a master, who had so short a time before been his equal, left the room without a word.

‘ Some minutes after, general Davoust entered the house of the first consul, and told him, that he came to communicate to him his intended marriage—“ With Mademoiselle Leclerc ?—I think it a fit match.”—“ No, general, with Madame”—“ With Mademoiselle *Leclerc*,” interrupted Napoleon, dwelling on the name. . . “ Not only is the union suitable, but I desire that it may take place immediately.”—“ I have loved madame now a long time : she is free now, and nothing shall make me renounce her.”—“ Nothing, but my will” answered the first consul, fixing upon him his eagle eye. . . “ You go immediately to Saint Germaine, to Madame Campan’s : you will there ask to see your intended : you will be presented by her brother, general Leclerc, who is now with my wife ; he will go with you. Mademoiselle Aimie will come this evening to Paris. You will order the jewels, let them be handsome, since I stand father to this young person. I also take charge of the dowry and the wardrobe ; and the marriage shall be celebrated as soon as the forms required by the law are gone through. I will take care to abridge them. You have heard me. You must now obey.” As soon as Napoleon had finished this long speech, pronounced rapidly, and with the absolute tone which was peculiar to him, he rang and sent for general Leclerc. As soon as he saw him, “ Ah, well, then, was I wrong,” he cried ; “ here is the husband of your sister ; go together to Saint Germain, and let me see neither one nor the other of you, till every thing is arranged : I detest discussions of interest.”’

They were married in a very few days : Davoust, in spite of his roughness, was obliged to submit. The match was not, in the first instance, a happy one : it was not till long after, that the prince of Eckmühl discovered the value of the wife that Napoleon had forced upon him.

The emperor’s regard to the opinion of the old nobility, which we have already alluded to as a fault, is proved, among many other things, by a remarkable passage in Bausset’s *Memoirs* relating to the time of the signature of the concordat.

Cardinal Gonsalvi left the house of M. de Brignolé one day as M. de S*** entered it. “ Can you imagine,” said Madame de Brignolé, “ what was the subject of my conversation with the cardinal ? We were talking of the marriage of priests.” It appeared that the cardinal, highly delighted with the signature of the concordat, had said, that if the French government had made the demand, the court of Rome would most certainly have consented, because it was but a point of discipline, &c. M. de S*** hastened to find the first consul and to communicate to him what he had just learned. He answered, that he had no doubt that the proposition would have been accepted if he had made it ; but that he abstained, lest he should give the Faubourg St. Germain an opportunity to call the holy father a heretic. The Faubourg St. Germain is to be under-

stood as meaning *bonne compagnie*, says M. de Bausset; so it would seem, that in spite of Napoleon's power, and the splendor of his existence, his court was not the fashion, and that even the conqueror of Europe bowed beneath the omnipotence of this capricious deity. The waywardness with which fashion will select her favourites, is not unknown in London; even there, it has been understood to include royalty; but we hardly deemed that it ~~da~~^durst brave the terrors of the imperial brow. Madame de Cherreuse, whose insolent pride caused her banishment from Paris, appeared at the Tuileries in a magnificent suit of ornaments, pearls or diamonds, no matter which. Napoleon, whose eye was constantly attracted by a splendid appearance, went up to her, and expressing his admiration, said, "Can they be real?"—"Indeed," said the saucy dame, "I know nothing about it: if they are not, they are at least good enough for this place." Bonaparte was even kind enough to be angry at the insolence of the old nobility; and, in the case of Madame de Cherreuse, he talked about repealing the decree against marshal D'Ancre, by whose assassination and confiscation the family of de Luynes acquired their immense property.

The duchess de Montebello (the widow of Lannes), who was dame d'honneur to Marie Louise, gave the name of M. l'Etiquette* to her master. She used to suffer as well as the other ladies, from the rigour with which he enacted the discharge of their formal duties. What some of these duties were, we can easily collect from these female histories. From the time of the empress Josephine, there were four *dames d'annonces*, whose only duty was, to protect the door of the interior apartment. The empress (Josephine) admitted several persons to her intimacy. Rivalships arose between the ladies of the palace and the ladies of presentation (*dames d'annonces*), which occasioned very annoying disputes between them. The emperor was disgusted with them: they caused him, aware as he was of the sedentary life led by the ladies devoted to the education of the daughters of members of the Legion of Honour in the Imperial Establishment at Ecouen, to desire the queen of Naples to write to Madame Campan, superintendant of the establishment, to select four ladies to be attached to the new empress. He

* It was on occasion of a severe scolding he gave her for having given Marie Louise some pills before the arrival of the doctor. Etiquette—said he—requires that the empress shall only receive medicine from the hands of the physician. The duchess said not a word in his presence, but when he was gone she said she was glad M. l'Etiquette had finished, for she never liked long sermons.

required that the preference should be given to the widows and daughters of generals; and declared, that, in future, these places should belong to the pupils of Ecoen, as a recompense for good conduct. He kept his word: some months afterwards, the number of these ladies was raised from four to six, these were pupils, Mademoiselles Malerot and Raboussin, daughters and sisters of distinguished general officers. These ladies were first called *dames d'annonces*, for their business was to announce those who presented themselves; they were afterwards named first ladies of the empress, because they were in fact charged with all the service of the interior, had under their orders six *femmes de chambres*; these, however, only entered when summoned by a bell, while the *premières dames*, of whom four were always in waiting, passed the whole day with the empress. They entered her apartment before she arose in the morning, and they only quitted her when she was in bed at night. All the entries into her chamber were closed up, one excepted, which led into another suite, where those ladies slept who were in waiting, and not even the emperor himself could enter at night the chamber of his wife, without passing through this apartment. No man, with the exception of the physicians, M de Menneval and M. Ballouhai, was admitted into the apartment of the empress without an order of the emperor; the first was secretary of her orders, and the second intendant of expenses. The ladies even, excepting the lady of honour and the *dame d'atour* (tire-woman), were not received until they had obtained a rendezvous from the empress. The ladies of the interior were charged with the execution of these orders, and they were responsible for their due discharge. One of them was always present at the lessons of music, drawing, embroidery, which the empress received. They wrote to her dictation, and performed the duty of *lectrices* and *dames d'annonces*. This was a laborious life, without doubt; but they had acquired the habit of seclusion at Ecoen; the kindness of their sovereign alleviated the hardships of it, and they went through their service rather from affection than duty. No milliner, or other tradesman of any description, was allowed to measure or fit on any description of dress or wearing apparel. And on one occasion, while a man called Biénnais came to show the empress the secrets of a paper case that were only to be disclosed to the possessor, the emperor entered, and found the lady in attendance with her person half out of the room; he gave her a reprimand, and probably if the whole of her person had been beyond the door, she would have been *congediéd*. She happened to be giving an order to some person

beyond. The empress herself declared, that she had given the order for the man's admission, but Napoleon insisted she had no right to do so; he laughed, it is true, but still declared it was the *première dame* who was responsible.

Attachment to etiquette, however, was not confined to the head of the Bonaparte family. When Marie Louise was recovering from her confinement, on the day that she was to receive the members of the imperial court, three arm-chairs were placed for madame Mère and the queens of Spain and Holland. When Napoleon observed them, he ordered them to be removed, remarking that madame Mère not being a queen, ought to have no arm-chair. Three stools were brought; as soon as they arrived, and perceived the stools, they retired with an air of offence, and would not assist at the presentation of the ladies who were waiting to be received.

The stiffness of Marie Louise was very unfavourably contrasted with the easy grace of Josephine; it was only in her intimate society that the secret of her amiability was known. Her coldness was considered so constitutional, that it was even said to extend to her child. The fact is, she had never been in the habit of seeing children, and she scarcely dared touch her own boy, lest she should hurt or injure him. He of course, became more partial to his *gouvernante* than to his mother. It was different with his father, whose affection for him was of the most lively description; he took him in his arms whenever he saw him, caressed him, teased him, carried him before the mirrors, and made all kinds of faces at him. At breakfast, he put him on his knees, steeped his finger in sauce, and let the child suck it, and daubed his little face all over. The *gouvernante* grumbled, the emperor laughed, and the infant, almost always in good humour, appeared to receive with pleasure the noisy caresses of his father. Whenever any one had a favour to ask, this was the time to ask it; they were sure to be favourably received.

The poor boy, whose destiny has suffered so remarkable a change, appears to have been a child of great promise, both for intelligence and goodness of heart. The anecdotes concerning him are of the most pleasing kind. From the time that he knew how to speak he became, like most children, a great questioner. He loved, above every thing, to watch the people walking in the garden and in the court, of the Tuileries, over which his windows looked. There was always a crowd of people assembled there to see him. Having remarked that many of the persons who entered the palace, had rolls of papers under their arms, he desired to know of his *gouvernante* what

that meant. He was told that they were unfortunate people, who came to ask some favour of his papa. From this moment he shouted and wept whenever he saw a petition pass, and was not to be satisfied till it was brought to him; and he never failed to present, himself, every day, at breakfast, all those which he had collected in the course of the day before. It may be easily supposed, that when this practice was known to the public, the child was never at a loss for petitions.

He saw one day under his windows a woman in mourning who held by the hand a little boy about four years old, also in mourning. This little fellow had in his hand a petition which he held up from a distance to the young prince. The boy would know why this poor little one was clothed all in black. His governess answered that it was, no doubt, because his papa was dead. He manifested a strong desire to talk with the child.—Madame Montesquieu, who seized every occasion of developing his sensibility, consented, and gave an order that he should be brought in with his mother. She was a widow whose husband had been killed in the last campaign, and finding herself without resources, had petitioned the emperor for a pension. The young Napoleon took the petition and promised to deliver it to his papa. The next morning he made up his ordinary packet of petitions, but the one in which he took a particular interest he kept separate, and after putting the mass into the hands of the emperor according to custom; "Papa," said he, "here is the petition of a very unfortunate little boy; you are the cause of his father's dying, and now he has nothing. Give him a pension, I beg." Napoleon took up his son and embraced him tenderly, gave him the pension, which he antedated, and caused the patent to be made out in the course of the day.

The child was generally docile and reasonable, but subject to fits of great impetuosity. One day when in a rage he had thrown himself on the ground, and was roaring with all the violence of very small boys, Madame de Montesquieu carefully shut down the windows and the blinds. This operation suspended his passion and excited his curiosity: he demanded the reason of this step. "It is," said his governess, "for fear you should be heard: do you think," said she, "that the French would ever have you for a prince if they knew that you fell into such passions."—"Do you think," he inquired, "that any body heard: I should be very sorry. Pardon *Maman Quiou* (for so he called her), I will never do so again."

After the disasters in Russia, Madame Montesquieu had added these words to her little pupil's infantine prayers: "O God, inspire papa with the desire of making peace, for the

happiness of France and all of us." Napoleon happened one evening to be in his son's apartments at his prayer hours.—Madame de Montesquieu changed nothing, and the emperor heard the child repeat the words we have quoted. He smiled, but made no remark on the subject.


When this boy was born, great was the bustle in France. As Madame Durand was present with the empress Marie Louise at her *accouchement*, and Mademoiselle Ducrest with the ex-empress Josephine when the news arrived, we learn both sides of the story ; we have a copious report of the event itself, and of its effect upon the poor divorcée. The case was one of difficulty, and *Dubois*, the accoucheur, did not conceal from the emperor the fears he entertained. "Think only of the mother," he exclaimed with energy, "give her all your care." Instruments were necessarily employed : the operation lasted twenty-six minutes. "Napoleon," says Madame Durand, "supported only five minutes in the apartment : he let go the hand of the empress, which he had till then held in his own, and retired into a dressing-room pale as death, and scarcely in his senses. The moment he was informed that the infant was born, he rushed into the apartment, and flew towards his wife, and folded her in his arms. The child was seven minutes without giving any signs of life. Napoleon cast his eyes upon him for an instant, believed him dead, and never uttered a word respecting him ; he occupied himself solely with the mother. Some drops of brandy were blown into the mouth of the infant ; his back was slightly struck with the back of the hand, and he was then wrapped up in warm napkins. At length he uttered a cry, and the emperor rushed to embrace him." It then seemed that the birth of a son was the last and best gift that fortune had in her power to bestow on one whom she had already so largely favoured. The expectations which attended this event, and its results, are sad temptations to moralize. But to the narrative.

The birth of young Napoleon took place in the presence of twenty-two persons named by Madame Durand : besides whom a dressing-room on one side of the bed-room was filled with the inferior women of the empress : and on the other several saloons were crowded with courtiers. All the inhabitants of Paris were aware that the empress was in labour : from six in the morning the gardens of the Tuileries were filled with an immense crowd of people of all ages and ranks. It was understood that twenty-one reports of cannon would announce the birth of a daughter : but that the birth of an heir to the throne would be marked by a hundred and one discharges. From the

moment that the first report was heard, the tumult of this noisy assembly instantly ceased : the profoundest silence was only broken by persons counting in a low tone the number of discharges, one, two, three, &c. But at the twenty-second report, a burst of enthusiasm proceeded from every quarter, and the cries of joy, the hats in the air, and the *vivats*, which proceeded from the Tuileries seemed almost as much as the report of the cannon to communicate the news to the other quarters of Paris. Napoleon, placed behind a curtain at one of the windows of the empress's room, enjoyed the spectacle of this general intoxication, and appeared deeply affected : big tears rolled down his cheek, and it was in this state that he came to embrace, once again, his child.

At the time of the birth of the young Napoleon, Josephine was at ~~Narre~~ Evreux. The mayor of Evreux happened on that day to have given a dinner to her household (it was the 20th of March, 1811), and while they were at table, a person came from the prefecture with a letter in his hand : he stood at the door, his face shining with joy, and cried out "The king of Rome is born." Every body rose up, surrounded the informant, and overwhelmed him with questions as to the effect of the news in Paris. The carriages were quickly in train to proceed to Josephine. How the news would affect the ex-empress, was a question which naturally interested her friends : some "little of the woman" they thought surely had a place in her heart. They found her full of a satisfaction which it was impossible to dissemble : she was already occupied with plans for a fête on a splendid scale in order to celebrate the event. The ladies had scarcely entered the saloon when Josephine began to ask eagerly for particulars. "I do so regret to be so distant from Paris," she exclaimed continually—"at Malmaison I should have had news so promptly—I am well satisfied to see that the painful sacrifice I have made has been useful to France, and the future is now fixed. How happy the emperor must be ! One thing alone saddens me ; it is, that I have not learned his good fortune from himself." The viceroy Eugene, her son, arrived next day, and the particulars that were desired he communicated : above all he dwelt upon the emperor's anxiety to save the mother in preference to the child ; and observes Mademoiselle Ducrest, he was very little likely to have mentioned this proof of the emperor's real affection for Marie Louise unless he had been well convinced of Josephine's sincerity. The viceroy informed his mother that the emperor had bade him go to Josephine saying. "Tell her that I am sure she will rejoice more than any one at my happiness. I

should have already written to her, had I not been absorbed by the pleasure of watching my child. I snatch myself from him only in cases of the last necessity. To night I will acquit myself of one of the sweetest of duties : I will write to Josephine." This promise he kept.

' In fact, at eleven o'clock, at the moment when we were taking tea, we heard a considerable movement in the anti-chambers ; the doors of the waiting saloons were opened with a noise : the folding doors of the one in the gallery in which her majesty was seated, were pushed open briskly by the usher, who cried out : " From the emperor." The empress and the viceroy went forward to meet a page of an agreeable countenance, but who appeared exhausted with fatigue. It was, I believe, M. de Saint Hilaire. The empress knew him, though it was two years since she had seen him. In order to give him time to recover himself, she addressed several questions to him with that gracious air with which she did every thing.' 

The young man, carrying a letter which had been intrusted to him by the hands of the emperor himself, had been so dreadfully afraid of losing it, that he had thrust it deep into the side pocket of his coat : he had some trouble in finding it. The empress perceiving his embarrassment, continued to speak to him of indifferent things, at last the letter was produced. Her majesty retired with the viceroy to read and answer it, having previously ordered some supper for M. de Saint Hilaire, whom she wished to keep till to-morrow, but he desired to return the moment he received her majesty's answer. He had rode down from Paris full speed in six hours. The distance from Paris to Navarre is about seventy two miles.

The empress returned to the saloon in half an hour, her eyes were very red, and the viceroy appeared a good deal agitated. We dared ask no questions as to the contents of the letter. Josephine divining our curiosity, was kind enough to read us that which affected her in so lively a manner—I do not remember the commencement ; but this was the last sentence word for word. " This child, in concert with our Eugenc, will make our happiness and that of France." " Is it possible, remarked the empress, to be more amiable, and to seek more effectually to soften that which might have been painful to me, if I had not loved the emperor so sincerely. Thus to put my son and his in his letter is worthy of the man who when he pleases can be the most fascinating person in the world."

It is probable that Josephine in her splendid retirement enjoyed more happiness than while she was on the throne : she improved in health, and after the divorce grew much stouter than she had ever been before ; while at the Tuileries she was

tormented by perpetual head-aches, which she attributed to the weight of her coronation head-dress, which she always wore on days of ceremony while reigning empress : it weighed three pounds. It would attack her so violently that she would sometimes be obliged to leave her carriage during a drive, to be laid upon the bed of some mean cottage that happened to be near : But this disappeared with the other cares of a throne ; and with her emancipation from the toils of etiquette. Her dress afterwards was, as usual, peculiarly elegant and beautiful, but not magnificent. It was not for want of diamonds : her store of jewellery, however, while it seems to have dazzled the eyes of Mademoiselle Ducrest, had less value in those of their possessor.

‘ We asked the empress, one day, says Mademoiselle Ducrest, to shew us her diamonds, which were locked up in a secret closet, of which Madame Gazani and M. Pierlot had the key ordinarily. With great good nature she complied with the desire of the girls, and gave the order to bring into the saloon an enormous table ; several of the tire-women laid upon it an incredible number of caskets of every variety of form. This table was covered with them : when they were opened, we were dazzled with the brilliancy, the magnitude and the quantity of the stones composing the ornaments. The most remarkable decoration, after the one of white diamonds, was one of pearls in fine pearls all perfectly regular and of the finest water opals, rubies, sapphires, emeralds surrounded with large brilliants, the value of which was never counted in the estimate made of the value of the whole. The collection, I believe to be unique in Europe, since it was composed of every thing that the conquered countries contained most valuable. Napoleon had never any occasion to take them : they were almost forced on his companion—the garlands and bouquets of all these precious stones were like the description of a fairy tale’—*Ducrest. ii. p. 8.*

Josephine was much amused at the astonishment of the young ladies, and took the opportunity of giving them a lecture on the vanity of splendor. She told them that once the present of an old pair of shoes had given her more genuine delight than all the finery before them. She narrated the story of the famous old pair of shoes with a gracefulness which seems to have been peculiar to her. The present of the old shoes had been made by an old mate of a sailing vessel in which Madame Beauharnois was taking her passage from Martinique accompanied only by her little daughter Hortense. They were in great poverty, and Hortense had but one pair of shoes which were completely worn in pieces by dancing about the deck before the voyage was half over. Old Jacques the mate caught the mother and daughter in tears over Hortense’s misfortune, and relieved their

distress by a present of an old pair of shoes he happened to have in his chest: Madame Beauharnois reduced their size, and old Jacques contrived to cobble them so that the lively little Hortense was enabled to resume her exercise.

Napoleon sometimes paid his late wife short visits; one is mentioned as being witnessed by Mademoiselle Ducrest; it took place in the garden of Malmaison. These visits Maria Louise never relished: neither did she like to hear the name of Josephine mentioned; and she always contrived to go out of her way rather than pass near Malmaison: Napoleon was desirous that they should see one another, and Josephine would not have held back, but Maria Louise never would listen to the proposition for a moment. This latter personage appears to be a very amiable and respectable person without much decided character. She seems to have had her share of good sense, but permitted herself like all other persons of not strong passions, to be generally guided by those about her. Her failure was want of will. M. de Bausset describes an interview between her and our late Queen Caroline when princess of Wales. They met at Berne. Circumstances had just divorced both these distinguished personages: and the meeting appears to have been cordial, perhaps from sympathy. The princess of Wales, however, soon demonstrated the greater activity of her will. Had she, says M. de Bausset, been in the place of Maria Louise when the allies approached Paris, she would not have fled to Blois, but have remained to defend her rights and those of her son. It seems highly probable that had the empress stayed in Paris there would have arisen obstacles to the recal of the Bourbons, which it would have been very difficult to overcome. The empress, however, yielded only to the orders of Napoleon himself; he sent to Joseph his brother, then commander-in-chief at Paris, that he had rather both his wife and child were at the bottom of the Seine than in the hands of the allies. When M. de Bausset, in his interview with the emperor at Fontainebleau urged to the emperor the service which the empress's presence in the capital might render him, he did not admit the force of the argument. "Circumstances," he said, "had so changed, that a different course was obvious." Napoleon had no reason to be grateful to either Joseph or Jerome, for their conduct at this crisis. Joseph, though a respectable private gentleman, is, as well as his brother Jerome, extremely ill calculated for either prince or ruler. Louis was at the same time on the spot; but, while at Blois, he seems to have been more given to devotion than to politics. He had the air of a pious but otherwise indifferent spectator of events. He, like his eldest brother

Joseph, has proved himself a just and conscientious person—these are not, however, the qualities for founding a dynasty. While in Holland he was so distracted between the orders of Napoleon and his own sense of what was due to the country he had been set over, that his abdication must have been the sweetest possible relief to a mind tempered like his. Lucien, not choosing that his brother should dictate to him as to whom he was or was not to marry, retired to America soon after the coronation, and never appeared in France till the Hundred Days; when he shewed that he alone shared with his imperial brother the energy and decision which had placed him on the throne of France. The imperial family was remarkable for any thing rather than the harmony with which they lived together: their quarrels were frequent, and often demanded the interference of Josephine, who used to act as peacemaker. The female part seem to have been peculiarly unguidable. Pauline, the princess of Borghese, must frequently have caused considerable mortification to her imperial brother. She married in the first instance general Leclerc, of whose sister's marriage we have already spoken. Leclerc bought his connexion with the first consul dearly.—Pauline was the prettiest plague a man was ever cursed with in the shape of a wife. “It was impossible,” says the authoress of the *Memoirs of Josephine*, “for envy to detect the slightest fault in her delicious countenance: her figure was elegant beyond comparison; it was perfect, and the grace of her manners absolutely seductive.” This is the close of the catalogue of her perfections. Her conversation was trifling and wearisome to the last degree. Her sole thought turned upon the toilette. Bonnets, hats, and robes, were the single subject of her life—except her lovers. Of these she had a variety—a succession in the sense of the horticulturist. When she departed for St. Dominique, Lafon, the celebrated actor, was the favourite; and the world of Paris was much disappointed that he did not show himself *capable de mourir* on the occasion. Afterwards M. Jules de Canonville, a dashing colonel of Cavalry, engaged all the attentions of the princess Borghese. He was a fine brave young man, but as indiscreet, headlong, and impetuous, as her highness could desire. There was no folly he did not commit for her or with her. The last exhibition of it procured his dismissal from Paris, with an order to join the Russian army. The emperor of Russia had presented Napoleon with a magnificent cloak lined with fur: when the princess Pauline saw it, she of course fell into raptures: her good-natured brother gave it to her. The lovers quarrelled about it: M. de Canonville declared that she cared for nothing on earth but the cloak: it was given

to him : a day or two after he appeared on parade with a hus-sar jacket and a saddle cloth, all made of the emperor of Russia's fur. He rode a fiery horse, which he was not master of, and while the regiment was forming, put the whole of them into confusion. Napoleon galloped up to see what could disorder a regiment which usually manœuvred so well. He found M. de Canonville arrayed in his spoils. The emperor was furious ; he cried out. " M. de Canonville, your horse is too fiery for parade ; he must be sent to Russia to be broken in : you will command a regiment with more honour there than here, and you and horse will return a little more calm, I hope." He was sent off for Russia, where he was killed. The princess not content with communication by letter, used to send off a courier every fortnight, who should actually see and hear him, and satisfy her as to his health on his return. He redeemed his folly in Russia ; his bravery, his talents, and his amiability endeared him to both his chiefs and subalterns ; it may be presumed that the climate somewhat cooled the ardour which at Paris led him into so many brilliant follies.

The temper of her sister Caroline, the queen of Naples, was ungovernable : poor Murat, so fierce in war, so irresistible in battle, crouched before the spirit of the sister of Napoleon. In the volumes before us are some good-natured letters from Josephine to her sister-in-law the queen of Naples, written with a view of persuading her to more self-government, and to submit with a better grace to the duties of a wife. She points out that by attempting to rule her husband, she will infallibly make both of them ridiculous. Against either of the children of Josephine, Napoleon never seems to have had any cause of complaint. Eugene, the viceroy of Italy, was universally beloved, and shewed some talents for government : his sister Hortensia, unhappily married against her will, as well as against his, to Louis, never could resign herself to her lot : separation was the result. Their eldest child was named Napoleon, and it was always supposed that he was intended to succeed his uncle in the throne of France. The death of this infant probably brought about the divorce from Josephine, and perhaps eventually entailed upon his uncle his misfortunes. We are told a very pleasant anecdote of him, illustrative of the unhealthy waywardness of all children not allowed their natural freedom, and worthy to be classed with Matthews's story of the hot saddle of mutton. It came from the mouth of Josephine herself, and must therefore go down to posterity upon good authority. Josephine used to send from Paris, bales of toys, playthings, puppets, &c., to her grand-children ; amongst others, Napoleon, the little son of

Louis, used to receive an ample share, while at the Hague. On one New-year's day, the queen Hortense received an immense case full of the most ingenious toys that the invention of Grancher and Giroux could devise. Young Napoleon was sitting looking out of a window into the park, and appeared to receive with indifference all the presents spread out before him; he still persevered in gazing down the long avenue that led from his window. The queen, disappointed at not seeing him so happy as she had expected, asked if he was not grateful to his grand-mamma for having taken such pains to procure him all the pretty things before him? "Oh! yes, mamma, I am very grateful, but you know she is always so good."—"But do not all these pretty playthings amuse you?"—"Yes, mamma, but,"—"But what?"—"I want very much—something else."—"Tell me what it is; I promise it to you, my boy."—"Oh mamma, but you would not, I am sure."—"Is it money for the poor?"—"Papa gave me *that* this morning, and it is already distributed—it is,"—"Come, speak out, you know how much I love you, so you may be sure that I would begin the New-year with something you would like—come then my darling, what is it you want?"—"Mamma, I want to walk in that pretty mud, which I see out of the window; that would amuse me more than any thing."

Hortensia did not permit the little fellow to paddle in the mud; consequently he was the most unhappy of human beings, until the frost dried up the mud as well as his tears. Unlucky infant, born to be a prince; it is thus that tyrants are bred: young Nero first impaled flies, and then men, to chase away ennui. The poor creatures are kept in moral chains all their lives, and then the world is astonished that the race is not blessed with the virtues of a generous education. Your Don MIGUELS, and king FERDINANDS, are perfectly *denatured* by the system pursued with them in their early youth. Of the latter worthy, Napoleon is said to have entertained a tolerably just opinion. When it was rumoured that he was about to ask a princess of the Buonaparte family, for his wife; the emperor was indignant, and declared that the empress had not a chambermaid who was not far too good for him.

It is curious to learn what has become of the different members of this once all-powerful family. The comte de Surveilliers (Joseph) is a farmer in the United States: in a letter, dated 26th December, 1826, to a lady in Europe, he says: "I think it would be scarcely rational, to think of quitting a country, where I find all that the old world wants. The separation from my friends, is the sole consideration to be set

against its advantages. I know not that I shall ever see them again;—the rulers of Europe must first know me for what I am, and this is too much to hope from human passion." Zenaide, the eldest daughter of Joseph, has married the prince of Musignano, son of the prince of Canino (Lucien): the youngest daughter is married to the eldest son of the comte de St. Leu, (Louis). These young people live at Florence, near the wife of Joseph, the comtesse of Survilliers, a person who bears an extremely amiable character. The princess of Borghese, at her death, left them a considerable fortune.

The comte de St. Leu (Louis) has long been afflicted with rheumatism to such a degree, as to deprive him of many enjoyments. He gives himself up to literary pursuits chiefly: his late production, the answer to sir Walter Scott's life of Napoleon, is insignificant enough, considered as an answer, although it contains two or three remarkable points, such as his protest against war and the punishment of death. He lives alternately at Rome and Florence. His wife Hortense, the duchess of St. Leu, makes Rome her winter residence, and in summer she inhabits her beautiful seat of Arenberg on the lake of Constance. She is said to lead a life worthy of the daughter of Josephine. The prince of Canino (Lucien) has for some time dwelt at Rome and in the principality of which he bears the name. In 1827 he resided with his numerous family at Sinigaglia, a little town near Ancona. Some unlucky speculations having diminished his fortune, he has sold his palace at Rome to the prince de Montfort his brother (Jerome). One of his daughters is married to prince Gabrieli; two others to Englishmen—one of them lord Stuart. The prince de Montfort (Jerome), by his legitimate connexion with the sister of the king of Wurtemberg still maintains some regal state, and continues to be courted by the ambassadors representatives of the Northern powers. The comtesse de Lipano (princess Murat) has not yet obtained permission to join her family in Italy. She is in Austria. Her eldest daughter is married to comte Papoli, a Bolognese nobleman:—Achilles, the eldest son, has purchased considerable domains in the Floridas. Lucien, his younger brother, is in South America.

We have occupied ourselves at considerable length with the Bonaparte family. It is not, however, the only subject on which these writers dwell: they are very discursive and scarcely leave a personage of the last age without fixing upon some story, anecdote, or mot. Mademoiselle Ducrest's book is a collection of *Jeux d'Esprit*; she has lived much with the musicians and other artists of the last age, and has much to tell of such persons as Mehul, Spontini, Vernet, &c.

Among these anecdotes, we were amused by a story, with which we shall close this miscellaneous article. It is the *ren-coptre* of Horace Vernet, the celebrated painter, with a person he considered an excellent butt, but who turned out to be the keener wit of the two.

Vernet, in his youth, was travelling in one of those heavy and bulky conveyances called a *coche à quatre*, which used to occupy somewhere about two and twenty days in the journey from Marseilles to Paris. Amongst the travellers whom Vernet found heaped upon one another in this machine, was a fat man with a mean red face, who looked as thick in his intellects as in his person: he resolved to amuse himself with him, and paid him a number of attentions, to which the stout man made a good-natured but awkward return. On arriving at a steep hill, the passengers walked: on the road they came to a ditch of some breadth; Vernet, who had the reputation of a good leaper, wagered that he would jump over it. "O Lord!" said the man, whom Vernet had chosen for his victim, with an air of astonishment, "can you leap that?"—"Assuredly, it is very narrow."—"I should like to see how you would do it."—"Why thus," said Vernet, bounding lightly to the other side.—"Very true! now I should like to try: you embolden me, and I feel the courage to make the attempt."—"You!" cried the great painter, laughing heartily,—"I should like to see how you would do it—I bet you the price of the dinner, that you tumble into the middle."—"Don't you make me afraid, to begin with.—Let us see—the dinner—it is very dear—half-a-crown, I believe.—That's a great deal: never mind, I will try; here goes!" After making a great many faces, the stout man jumps, and comes down heavily on the other side, a foot beyond the point Vernet had reached. "I will have my revenge," said he, a little piqued; "you will not refuse me, I hope."—"Oh no! that which has happened once, may not happen again perhaps." The next day, another opportunity occurred, and the stout man won by the length of a foot, as he had done the day before, and was in an ecstasy at his astonishing good luck. Vernet more and more disgusted at the triumph of his adversary, proposed the same wager every day, and every day lost, till they arrived within a stage of Paris. At this place, the stout man came up to Vernet and said, "Sir, I owe you a thousand thanks for the generosity with which you have paid for my dinner, almost all the way from Marseilles here—I wish to shew my gratitude.—If a few tickets to 'Nicolet's (the Astley's of Paris) would be agreeable to you, I should be glad to offer them to you; for I am engaged as clown there, and I make my first appearance in two days; which may console you for your defeat. You jump excellently well; but were you a good deal nimbler than you are, I should still have won; for I had a large reserve of talent to display, which I should have put in practice to justify the proverb, which you know, no doubt—"From much to more, as they do at Nicolet's." Vernet enjoyed the telling of this history excessively, and the father of the authoress, heard it from his own lips.—*Dugress, p. 165.*

ART. IV.—*The Anglo-Irish of the Nineteenth Century.* A Novel, in 3 vols. Colburn. London. 1828.

OF all the writers who have followed in that somewhat indefinable province of fiction between novel and romance, which has been so felicitously cultivated by sir Walter Scott, the author of the work before us appears to have been the most free and spontaneous. This is doubtless to be ascribed in part to a real affinity between their distinguishing powers of mind; but it is also in some degree attributable to both master and disciple having broken ground in strongly-marked and picturesque scenes of action, the novelty of which has admirably seconded the genius excited to render it available. The excursive mind of the former, indeed, has enabled him to diversify most luxuriantly, both as to time and locality; but it is, no less true that he commenced his series of brilliant illusions, by a powerful application of his assimilative spirit to incident, description, and character, suggested by the history, or supplied by the national and social peculiarities, of his own country. The author of the *Anglo-Irish*, both in this and his previous works, has judiciously followed in the same track, and also with marked and merited success. How long any peculiar mental mine can be worked with advantage, it is not easy to decide; but it is obvious that people governed and misgoverned into strong nationality, and otherwise “fresher,” as our novelist has it, than races worn by more intense and equal collision into general similarity, afford a far finer scope for a spirited exercise of imagination. It may also happen,—without contending that the Scottish magician is included in the predicament,—that such fiction, under happy management, may now and then infuse a few correct notions into heads that would never acquire them in a more formal way. The Hibernian sir Walter evidently feels an anxiety to effect a something which he deems beneficial in all his tales, and more especially in the present volumes, the object of which is to exemplify the extraordinary manner in which Irish society has been modified by the anomalous nature of Irish national experience, which experience, it may be confidently asserted, has been more uniformly calamitous and baleful than aught the annals of any equal portion of civilized Europe can supply by way of parallel. All countries may have had their period of adversity, disorder, and suffering, but we know of none not essentially barbarous, except Ireland, so morally and politically situated as to render that disorder and adversity a species of unavoidably recurring series—a constantly revolving cycle of anarchy, injustice, and misrule.

"Very true," some grave and conscientious member of the New Brunswick Union may exclaim, "and hence the deadly operation of a superstitious and idolatrous system of faith; and of the mischievous influence of a crafty and insidious priesthood. Hence"—but it is unnecessary to proceed further, in a strain, which has been repeated every other day, for months past, in almost every one of the daily papers, which assume a literary protection of the Church and State. It may never occur to the reader—for it is nine times out of ten unknown to the writer—that the era of the Reformation was by no means the *commencement* of that fortunate state of things, which has so pertinaciously excluded the major part of the natives of Ireland from the protection of equal laws, and the possession of the general rights of English subjects. Long before that momentous change, the word Irishman served precisely the same purpose as the epithet Papist at present; and the profitters by exclusion, when not a religious distinction existed, maintained the barrier of the English pale, and combined to prevent the imploring clans from breaking through their monopoly of power and ascendancy—exactly like their Orange posterity. In short, by a mere exchange of words, an entire people have been continued a race of Helots uninterruptedly for upwards of seven centuries. The mere spirit of half-barbarous conquest and rapacity, commenced a series of oppression and injustice, and interested bigotry and hypocrisy have dexterously contrived to perpetuate it. The growth of religious divisions was in reality a sort of God-send to the monopolists; the Tudors were beginning to shew some attention to the claims of the poor Irishry, when this well-timed source of disorder arose to render the less apparently insidious, and even more comprehensive, term, papist, as effectively exclusive. Were the sultan Mahmoud well read in Irish history, he might compose a neat appeal to English practice, in justification of his treatment of the Greeks; all expostulations on the subject of which, from certain quarters, even Mahometan ratiocination might go near to convince the world was, to say the least of it, a ludicrous specimen of grave and self-ignorant impertinence.

What precedes is to be attributed, not only to the title, but to the spirit of the work under consideration, the chief object of which has been to exhibit the curious operation of so long a course of injustice and divided rule, on the character of both oppressed and oppressor. This is not effected by any direct assumption of advocacy, or by the imputation of conscious tyranny or baseness on either side, but with the more philosophical view of demonstrating the involuntary

effect of certain modifications of society upon opinion and manners, in all the varied relations of life. The main point, in a general sense, which the author seems most anxious to establish, is the folly apparently indulged in by many sapient personages of every rank, that a decided English stamp can be impressed on Irish nationality, or, in other words, that the entire people can be Anglicised, or made what these sages affect to call Anglo, or English-Irish. The absurdity of this notion, under any circumstances, is very great; but, in reference to a system which so effectually divides a population, as that which has always prevailed in Ireland, it is absolutely insane. Yet there are reasoners who fondly dream of converting the Irish Catholics to Protestantism and English feelings, in the face of a regimen, which is gradually transforming them into religious enthusiasts; and, could persecution be so far extended, would ultimately constitute them martyrs. But, setting aside the inconsistency of this part of the process, what mass of a population ever merged its own character into that of its colonists, with a vast numerical difference against the latter. Has the Saxon character been ever annihilated in England; and why are the native Irish to part with theirs? This says nothing as to the effect of increasing knowledge and civilization, but to those original tendencies which always belong to distinctive races, and are seldom to be profitably parted with, precisely because it is not easy to substitute any thing which can half so well supply their places. It is therefore, as we shall soon see, ingeniously inferred, that England must allow Ireland to retain her own family features, and dropping, at least, all *state* proselytism, to leave a free and unfettered process of amalgamation to take its genial course.

So much as to apparent general design, which, in reduction to practice, introduces by way of hero, the younger son of one of those genuine Irish peers, whose family claims originated in military services under Cromwell, and whose political sentiments and practice had rendered him the *fidus Achates* of lord Castlereagh, subsequently Londonderry. This is conclusive as to the youthful associations of the somewhat tame personage supporting the principal character, who commences his career with the usual clear notions of absentee lords and their connexions, and exhibits the same remarkable predilection for thinking by proxy. This hopeful youth is put under a course of Irish adventure, in order to be gradually enlightened; but the author's dealing with the case, as both lawyers and physicians say, will be best conveyed by an extract. It is to be premised, that the aforesaid minister, and sir Robert Flood, a

distinguished general officer, are united in the guardianship of the young lord Clangore and his brother, with an Irish gentleman who visits London to join in the arrangements rendered necessary by the trust reposed in him. The scene is laid at a breakfast-table of the minister. The dialogue is here taken up with a question from sir Robert Flood :

“ But Irish mountaineers will follow their old habits.”

“ No doubt,” said sir Robert. “ Are they getting any quieter, Mr. Knightly ?”

“ It was a quick turn of the conversation, yet Mr. Knightly’s “ No, indeed, general,” showed that he accepted it quite in course.

“ Unhappy, misguided creatures,” continued sir Robert.

“ Unhappy, misguided creatures,” assented Mr. Knightly, much in earnest.

“ And when will they grow quiet, Sir ?”

“ When, indeed, General ?”

“ What with White-boys and Right-boys, United-men, Shanavests, Caravats, Threshers, Carders, and now, Rockites, I believe, all I have heard or read of them since I left the country, shows that the old people of Ireland never can be peaceable so long as they remain what they are.”

“ Plainly shows it, sir Robert.”

“ The mass of our half-countrymen are certainly difficult to govern,” said the Minister ; “ I fear, they may be said to give his majesty’s councils as much continued, though petty, trouble, as any people who are, or have been, our declared enemies.”

“ And I fear so, too, my lord.”

“ And ’tis a problem they should, Mr. Knightly ;—for whether we consider their long experience of the government and of the laws of England ; or their necessitous knowledge of their own level in the scale of nations ; or their constant opportunities to grow wiser, by observing the course pursued by other people, and especially by their neighbours, towards happiness and prosperity ; in fact, in whatever way we balance the question, we are unable to forge it into any tangible solution capable of being comprehended according to the rules of cause and effect.”

“ Here may be detected instances of the rather infelicitous clash of imagery that occasionally marked his lordship’s language ; without depriving it, however, of the power of persuading or convincing, which it is well known to have possessed, and in which few were his rivals.

“ One is sometimes thrown,” said Mr. Knightly, “ upon the unphilosophical supposition that would attribute to an ill-organised nature, their restlessness—to use no harder word, my lord.”

“ Their turbulence, their ferocity, Sir,” resumed sir Robert Flood : “ their thirst of human life ;—and there, Sir, I have used your harder word, though you will not call it too hard, after all.”

“ Not a bit too hard, sir Robert.”

“And in Heaven’s name, Mr. Knightly, resuming my former question, when are we to witness any abatement of excesses, which refuse peace, nay, even personal security, to such English capitalists, or English gentlemen, or Irish gentlemen of English descent, as may think of settling in the country?”

“I suppose you to ask, General, if atrocities are becoming less frequent, and I answer, no. It was but a few nights before I began my journey to England, that, only three miles from my own house, an industrious Scotchman, who had recently taken a large farm, fell a victim, along with two of his servants, to the savage vengeance of captain Rock’s desperadoes.”

“And yet you live in Ireland, Sir!”

“Why, sir Robert,” smiling apologetically, “one must live where one can. Perhaps if I lived in your affluent and luxurious England, along with my half-dozen of raw-boned sons, and my seven or eight gadding daughters, I could not well manage my small means for living at all; and so, as in the hope of advantage, the East-Indiaman braves the Cape, and the caravan the Desert, I must brave—no—not brave—that wouldn’t do—but I must take my chance against captain Rock.”

“It is, however, to be hoped,” resumed the Minister, “that when the important measure of Union, as yet but nominally effected between the two countries, shall have fully come into operation, there will begin, in Ireland, a change of character, which must speedily repay us for the season of turmoil we now endure, and which will show itself as much the result of a well-squared dove-tailing with England, taking root during a necessary previous time, as the present sad state of things may be said to flow from a want of that close and kindly interweaving between the two people.”

“If your lordship means that Ireland will never be quiet, or prosperous, or worth living in, until English views, interests, industry—English character, in fact—take place of the views, interests, and indolence, instead of industry—which confer its present character—then I agree with your lordship,” said the General.

“In detail, sir Robert, I meant that.”

“In a word, until the great majority of the population cease to be merely Irish, and become, like the only portion of it who are now respectable, intelligent—aye, or civilized,—English-Irish,” continued sir Robert.

“Well, and my meaning allows of that construction too,” assented the Minister. “Yes; I like your word, sir Robert; it defines almost to a point what I might admit to have been my own previous opinion: yes, my first cure for the evils of Ireland, certainly would be to make all her people English-Irish.”

“And it would be my first cure too,” observed Mr. Knightly, as if rather speaking to himself, than to those around him.

“Begin then, my lord, we pray you,” said the young Viscount.

“Or, my lord,” added Gerald, upon whom little of the conversa-

tion had been lost, "Walter, here, or I, shall scarce live long enough to pay our Irish tenantry a visit ; don't you think so, Walter ?"

"Indeed I do."

"But why, my good young friends ?" asked the Minister with a condescending smile.

"Explain as well as you can, Gerald," said lord Clangore.

"Thus, then, my lord ;" and in a little embarrassment the school-boy addressed the Minister—"until one can sleep soundly in one's bed in Ireland, one can hardly think of going there ; and sir Robert, and Mr. Knightly, and even your lordship, seem to say, that this must not be expected for a great many years."

"Fairly argued, Gerald," laughed sir Robert.

"My dear young lord Clangore," resumed the Minister, assuming one of those full, manly expressions of face and manner which often distinguished him ; "it is due to your ripening years, to remind you that, as has already been noticed, his majesty's government have made the beginning you so properly wish for. The legislative Union of Great Britain and Ireland may, indeed, be said to be the first link of that great chain which, in intellect, civilization, happiness, and glory, and at the same time, in habits, pursuits, and morals, is destined to interfuse into one national current, the people of England and Ireland."

"I thank your lordship for your explanation," said lord Clangore, "and I fully accept it ; and yet it is grievous to think that our young logician here is still right, when he supposes that many, many years must elapse before an Irish nobleman or gentleman, or, as I admit the propriety of the epithet, an English-Irish one, can reckon upon residing comfortably and happily amongst his mere Irish dependants."

"Before that, many many years must pass away, indeed," remarked Knightly.

"Meantime," resumed lord Clangore, "while the purely Irish of the present day, in different ranks of society, utter the language of disaffection to England, or frightfully outrage her laws, what shall we call their conduct with reference to the expected change !"

"Call it, if your lordship pleases, the yeasty workings, which denote a decomposing process in the moral elements of the people, and which, pursuant to the theory, must leave behind a settled and purer state of society," answered—not the Minister nor the General, but Mr. Knightly, out of his turn and place.

"And are we merely to look on at the fermentation ?" continued lord Clangore, glancing round to his more important friends.

"I suppose so," again put in Knightly ; "fiddling" with his spoon.

"But can you not also suppose, Sir, a moment, during which we could not merely look on ?"

"I had rather not, my lord : " Knightly smiled and bowed.

"Tut, my good young lord," said the General, rising ; "you *only* contemplate circumstances as likely as any that could occur to

facilitate the change we all think desirable. And so, indeed, says our distinguished countryman, now immortalizing himself on the Peninsula. One of the chief causes of Ireland's turbulence is her self-flattering conviction, that, as yet, she has been but half-conquered. Whenever she deserves it, then, he argues, conquer her to her heart's content, and she will be quieter. And I think it a fair syllogism; and, for my own part, can imagine no state of things better calculated to let us remodel the old Celtic character—to make it, in fact, English-Irish—that's still my word—than one offered by the salutary humiliation, perhaps diminution, of a newly-conquered people!"

"Faith! and it might be as good a way as any, General," assented Mr. Knightly.

"I agree," said Lord Clangore.

"And I," said Gerald.

All now arose, and as a hint for furthering the real business of the morning, the Minister showed the way back to his library.

Another extract will be still more explicit; the hero and his Irish guardian are conversing in a stage coach at night, unknown to each other. For the sake of brevity, the conversation is taken up at a point where the latter is maintaining the ultimate importance of Anti-Catholic opposition in Ireland.

"The single party who absolutely cry out against the approaching crisis are as unimportant and as undistinguished in moral power—that is, in wisdom or talent, in place or in fame, as they are numerically; and they will soon grow less so than they are, and, finally, become as unnoticed in Ireland, as the few hundred thousands of Roman Catholics are in England, or their political (though not religious) *pendants*, the Huguenots in France. Some of our anti-Irish threaten to leave us, in the very first stage of our progress towards nationality. If they keep their word, so much the better; if they do not, again, I say, no matter. Whether they go or stay, their national existence will be destroyed; I do not mean by any specific means of annihilation directed to them, but, as a matter of course, according to the nature of things; necessarily, of itself."

"Then, sir, your object is to be won rather by disunion than by union?"

"Not by it; because no one who seeks our object wants to work with it, or, indeed, wishes for it,—only if the party insists on it (and they will; in fact, it is inevitable), then our object must be won, notwithstanding that partial disunion, without caring for it, without thinking of it. Yes, indeed, sir, you are quite right. Ireland must, at last, become a nation in the teeth of that disunion, as far as it goes; and those who made it, and who obstinately and foolishly kept it up, must abide the consequences. They have made their bed; let them lie down on it. They have spurned every opportunity of getting on along with the Irish people, when both might have gone on well together, to the end of the world; and now the Irish people will get on

without them ; aye, and worse than that, shake them off, and leave them behind on the course."

"Excuse my ignorance, if I admit that I do not know what political opponents you thus doom to destruction."

"To political oblivion, rather."

"Well, any term ; but who are they ?"

"Descendants of colonists, English and Scotch, who, to this day, in addresses presented to the throne, call themselves colonists, and decline the name of Irishmen—these in the first instance ; next, descendants of colonists, who openly advocate or encourage anti-Irish measures of any kind."

"Your English-Irish, in fact," commented Gerald.

"Even so, if you like the phrase ; for I certainly do mean all persons who would strive to make Ireland English : and lastly, I mean all pretended English-Irish friends of the people, who, to carry a county, or a town, or, perhaps, with a commendable foresight towards cherishing their Irish estates (though I pronounce them in no danger), give a vote, now and then, upon the great wrangling question (as you would throw a piece of bread to a hungry mastiff, or to a critic, merely to pass him by), and afterwards zealously, though perhaps covertly, engage in one or all of the absurd schemes for provincializing Ireland : such as converting, transporting, or unhousing a million at a time of her population. Long ago, sir, such half measures, and such half Irishmen, might have succeeded in recommending themselves to our generous credulity ; but even the burnt child now teaches us a lesson."

"My good sir," said Gerald, "you certainly have arrived, by this account, at a most sudden importance : my only wonder is, that, till within the last forty or fifty years, you never thought of taking any great steps towards it."

"Do not wonder, sir ; but, if you please, blame yourselves for the phenomenon, and admit beforehand a remarkable want of political sagacity in making us what we are ; since, as is argued, you never contemplated, at the time, making us the much more that we are doomed to become in spite of you."

"Pray explain, sir."

"Why, sir, you had us bound hands and feet, gagged, interdicted from reading and writing, thinking and praying. Had you left us so, you would now find us so : terror, ignorance, the immorality engendered by a want of free approach to the observances and comforts of religion, and, above all, the uninterrupted influence of perfect slavery and conscious self-abasement, must have unfitted us for a struggle against you, or fitted us only for one that free 'blood-letting' (as Bacon called it, when consulted upon our symptoms, some hundred years ago), would have got down. And since, indeed, it has all along been your object to keep us from growing into a nation—I merely argue the thing logically—such ought to have been your part. But, with that object in view, you inconsiderately and inconsistently broke

half of our shackles, ungagged us, allowed us to read and to write, to pray and to think; to make money; to stand before the world in professions; and you deemed, that by leaving the other half of the shackles still rattling about us; by barring your universities against us, no matter how, we availed ourselves of your permission to become learned and wise; by blocking up the bench to our successful lawyers; the army and navy to our brave soldiers and sailors, the senate to our aristocracy, or to our popular men; by these reservations, sir, you calculated that still we should remain powerless and but half free. Yet surely here was a great lack of that political foresight which spans the future workings of its measure by aids from a philosophical, a common-sense calculation of the essential tendencies of man, derived from his position. The whole slave may be kept stationary, the half freedman never. And by half freeing us, you taught us to cry out for perfect freedom; nay, should you disregard our voice, you taught us how to obtain that first blessing with our own moral energies. You ensured it to us. You opened our eyes to the past, the present, and the future. You put a light into our hands, not indeed to dispel the darkness in which we mutely and passively crouched, but certainly to make it 'visible.' You led us out of the valley of bondage, if not into the plains of freedom, certainly to a height from which, for the first time, we saw their teeming promise, each following day inhaled their fragrance, and imbibed the inevitable ambition to rush down and mingle with their favoured possessors. That, joined to your theory that we never must so rush down, was a great mistake. As well might you say to the hill-stream 'descend not,' to kindled flame 'ascend not,' to the fledged bird 'fly not,' to the budding tree 'bloom not, nor yet bear fruit.' Streams may be pent up in the low grounds for ever; flame, if never kindled, will never aspire to heaven; that bird, if you clip his wings, and keep them clipped, will never fly; that tree, if it bud not, neither will it be fruitful; but once in motion on the hill, once kindled, once feathered, once budding, the water will find its way down, the fire will find its way up, the bird will emerge into his freedom of air, and the tree will yield its matured fruit."

"Perhaps; if not diverted aside, or quenched, or caught on the verge of the nest, or torn up by the roots," said Gerald.

"I grant you; but Ireland is no longer to be so dealt with. Fair promises or half measures can no longer 'divert' her; and the hand of physical force alone can impede her launch from the nest, or quench her, or tear her up; and this, your only available hand, you must not use, for she will not afford you the opportunity; and an unarmed people—one, at least, so near you, and before the world's eye, you will hardly endeavour to exterminate. You live too late for that."

"I am not one of those who, under any circumstances, or at any time—" began Gerald—his lecturer anxiously interrupted him.

"I do not believe—suppose you are; in that point of view I never saw your character, notwithstanding the brisk twist you just now gave to my string of metaphors. No, Sir; nor can I even believe that one-third of the people of England entertain such a hopeful scheme; .

are capable of entertaining it : and hence, apart from the hazard of the attempt—for there would be a hazard, after all ; and apart from the question of other neighbours approvingly looking on at your enterprise, and apart from the execration with which the voice of the world would greet it—hence is my confidence that England plans no exterminating crusade against us. How, then, are we to be stunted in our growth into a free and flourishing nation ? Shackle us, and gag us, and so forth, again ? Still more improbable. Impossible. A rebellion amongst us, from one extremity of the land to the other, would not, could not, be punished by the re-enactment of one repealed penal statute. You did not, durst not, so take vengeance for the wild insurrection of ninety-eight ; and what was out of the question thirty years ago, is now more remotely out of the question. You durst not, for many of the very reasons which stand against the fire and sword policy ; and for more than those. And here, I ask again, how will you stop us ? Bundling up your assimilation theory, and your conversation theory, and your depopulating theory, like so much lumber ; throwing them, in the name of good sense, quite overboard ; and getting things before us, as they really have been, and therefore are, and must be—how—I repeat my words, over and over, for there are no better—How will you stop us ?”

This is putting the matter well and undisguisedly ; and it is to the credit of the writer, that an anti-Catholic Secretary of State, and a whole crowd of minor luminaries, have been ultimately brought to an acknowledged sense of the strength of these undeniable positions. The speeches of Mr. Peel, explanatory of the convictions which have led him to change his views of practical policy in respect to emancipation, convey little more than the foregoing conclusions in different language. It is indeed obvious, and the remark may extort a melancholy smile from the votary of civil and religious liberty, that the justice which is likely at length to be accorded, will be so far as regards the statesmen heading the cabinet, that will conduct the measure, a submission rather to necessity than either to principle or good-will. But for the development so forcibly pleaded by the author of “the Anglo-Irish,” it is but too probable that the Irish Catholic might have pleaded for another century in vain. Even as it is, there are reasoners who would make any experiment upon a re-enactment of the penal statutes, or imply extermination as a dernier resort, some of which logicians are even clerical, and doubtless talk of the massacre of St. Bartholomew with holy horror. Happily, however, “the march of intellect,” a phrase which produces a great deal of laughter without mirth—renders the class of logicians almost altogether harmless, chiefly because, merely to amplify and clearly state their positions, is to refute them. What is still better, like the

electrical eel, they render themselves weaker by every shock or annoyance they venture upon, and flounder in the mud of their mental element in a state of pitiless exhaustion, by the very force of their own exertions. A final effort of this nature is at hand, which is likely to exemplify the figure to the letter. But enough on this theme, which is not exactly in place here, but may be excused in recommendation of a work of entertainment, possessing the merit not only of illustrating the real anomalies of Irish society, but of anticipating the practical views and convictions which alone can remove them. Moreover there is a mass of dormant intellect in England to be reached by a novel, which it would be vain to assail by a treatise. One of our essayists speaks of a young lady to whom Plutarch's Lives being recommended as a story book, read them with great complacency until she discovered that they were deemed a portion of authentic biography, when she complained bitterly of the deceit put upon her, and threw the book away for ever.

Regarded as a novel, "*The Anglo-Irish*" is exceedingly defective in plan and arrangement; the story, strictly so termed, possessing no interest at all. This, however, looking to the fashion of the day, has become an acknowledged license; occasional scenes of picturesque description, vivid interest, powerful pathos, or characteristic display, being deemed more than equivalent to the balanced narrative and regular development of days of yore. There is something of all these in the present volumes which are further enlivened by no small portion of smart skirmishing dialogue, in the allusive manner, at present so prevalent. A few Roekite scenes are very forcibly portrayed; and there is great ease and nature in the handling of native Irish character, both high and low. A smooth, reckless Hibernian spendthrift, of plausible manners and insinuating address, who, by all sorts of expedients, contrives to perpetuate the appearance of an establishment, when all regular means of support have been wasted, is drawn, it is to be feared, from a gifted, and (in this way) but too well known original, in the language of the newspapers, "now no more." A modern military dandy of the Hussar class is also sketched with some felicity, although his affectation, like that of the sir Percie Shafton of sir Walter Scott, ultimately becomes tiresome: the unavoidable fate of every thing very artificial in manners, either in books, or out of them. On the whole, "*The Anglo-Irish*" is a pleasant and spirited, if not an accurate and finished production; and to such novel-readers as will not be repelled by its politics, it will afford a few hours of very pleasant amusement. To those of another school, the perusal might be still more advantageous; but there

is reason to believe, that the novel-reading leisure of the greater portion of the latter, is engrossed by the muses of Leadenhall Street.

It must be confessed, that whatever support the cause of anti-Catholicism may derive from mere numerical array on this side of the channel, it is lamentably in the rear in mental activity. Assailed by intellect on all sides, and in all manner of forms, it turns the same blank negative front against the whole of them, receiving the argumentative darts and bullets of its adversaries like a bag of wool. Could this extraordinary state of things have been made to exist in perpetuity, as certain politicians fondly imagine possible, Oxenstiern's problem would be solved, and the exact minimum of reason with which the world may be governed satisfactorily established by the practice of a people, who complacently assume the privilege of being deemed the most intellectual of its inhabitants.

ART. V.—1. *Three Letters to the Editor of the Edinburgh Weekly Journal, from Malachi Malagrowther, Esq. on the proposed Change of Currency, and other late alterations, as they affect, or are intended to affect, the Kingdom of Scotland.*—Blackwood, Edinburgh. Cadell, London.

2. *The Scotch Banker ; containing Articles under that signature, on Banking, Currency, &c. republished from the Globe Newspaper. With some additional Articles.*—Ridgway. London.

REASON is getting the better of the world so fast, that there appears to be no reason why something reasonable should not be uttered on the subject of Banking. Time was, when every thing that was said by a man in a good pair of boots passed for gospel ; and nobody that wore good boots was on the side of the people. But such times are gone by like the Test act—superannuated like ‘our Protestant constitution.’ The Radicals, and the rats, have made an end of them, and old gentlemen sigh over their reminiscences, as over the memory of their departed pig-tails ;

‘ They cannot but remember such things were,
That were most precious to them.’

The world has gained in experience. Whenever there is a contest on a public question, it assumes without danger of mistake, that one side has a secret to keep, and the other has something to explain if it knew how. There is invariably some small hole letting day-light on the subject, which one party could open if they would, and the other would open if they

could. In the ~~present~~ case the revelation is not far to seek ; for it happens fortunately that the tough and didactic matter has been given in a preceding article,* to which it will be sufficient to refer.

There was a time when there were neither banks nor currency. To doubt it would be heresy. For it is clear that in the earliest state of man there were no pockets ; the first mention of any thing capable of holding them, is not till afterwards. And from the possession of pockets to that of any thing to put in them, is, as all men know, a dreary hiatus, capable of indefinite extension and delay. But what was not, and is, must have had a beginning ; there was therefore a time when men began to use an instrument of exchange. And the first discovery they would make on this subject, would be that *any thing* which more people wanted than could be supplied with it for nothing, might serve for an instrument of exchange at some rate or other. If it was as cumbrous, for instance, as a waggon-load of straw—or any thing else that may be fixed on as the most awkward of possible instruments—it is still clear that it would fetch *something*. There can be no doubt, for example, that it would fetch the value of what we call a halfpenny ; and therefore it might be used instead of a halfpenny, if any body chose to be at the trouble. And the next discovery would be, that what it was received for, would be equal to what could be got for it from a retailer who bought it to sell again, *minus* the value of all the trouble, expense, and risk, attendant on its conveyance to him ; the consequence of which would be, to hold out a direct premium in favour of the use of such things as gave the least trouble—or in other words, the precious metals. What makes the metals precious, is evidently that men like them and they are scarce. That men like them for the instrument of exchange, may be one part of the liking ; but the main source of the love for them, will be their desirableness for other purposes. That silver will make sixpences, may be one reason why men desire silver ; but the principal reason undoubtedly is, that they desire silver spoons.

The first use of the precious metals in exchange would be by weight. Abraham had got thus far, when he ‘weighed’ to Ephron the silver, four hundred shekels of silver, current with the merchant ;†—the earliest mention of currency, undoubtedly, in history. But the next observation would be, that much

* Article on the ‘Instrument of Exchange,’ Westminster Review No. I, pp. 175 and following.

† Genesis xxiii, 16.

trouble would be saved, if the fineness and weight were authenticated by the external appearance; and that to do this with effect, the issue must be confined to the governing power. And this is the invention of *coins*.

When a government—Pharaoh's for instance—began to issue coins, the rate at which they would be received in the market *would rise*. For every man would be glad to take the coin, for what he expected to get for it again, *plus* the value of the expense, trouble, or risk, he might save by taking it instead of any thing else. The value of this saving might only be a farthing; but he would take the coin for a farthing more than he expected to pass it for again. He might pass it for a farthing less than he took it; but he would have saved a farthing's worth of trouble, which repays him in the end. And the consequence of this farthing premium will be, that the exchangeable value of the coin *will rise and rise*. This looks very much like a fallacy, and is not; and whoever chuses to enter into the minutiae of the question, may see it examined at full length in the article before alluded to. And it will rise till one of two things happens—till either it has risen so high that the existing supply of coins is sufficient to conduct all the exchanges of the community, and so an end is put to further competition—or till the anxiety of men to procure coins by adding the farthing to the market rate, is balanced by a fear that the rate may fall about their ears before the coins are out of their possession. Hence there is a height to which the rate will rise, and a height to which it will not rise. And at the rate, whatever it is, the coins will go on till the quantity issued is sufficient for them to be employed in all exchanges. What this quantity will be, must depend on the magnitude of the concerns of the society. It will be a quantity which may be considered as the same from day to day, though it may not be the same from year to year, or even from month to month. It may be assumed to be constant as long as no remarkable change takes place in the wealth and occupations of the society; but will increase if the wealth and occupations should increase, and diminish if they are diminished.

If at this point the issues should be increased, *the market rate of coins would fall*. And the reason is, that an increased quantity of coins must be brought into the market in demand for goods of some kind or other, and consequently the price of goods must rise, or, which is the same thing, the value of coins fall. And the point to which it would fall, would be that which would make the whole number exactly sufficient for the supply as before—the extended proof of which may be found in the

place last referred to. In this way, if the issues go on, the rate will fall till it is brought to the metal value. And if the issues are still increased, the slightest fall below the metal value will ~~cause~~ coins to be restored to their original uses as metal, and consequently the coins will begin to disappear. The overlooking or concealing this fall in the rate, is the fallacy of Sir John Sinclair and the money-jugglers—the *perpetual motion*-ists, who say ‘Make money and people must consume,’ without finding out that their project must evaporate through the simple fact of the increased quantity coming to the same value as the old.

If a government chuses to issue pieces of paper with a certain value, as, for instance, a drachm of gold, or a bushel of wheat, specified on each—delivering them in its payments in lieu of the commodities specified, and engaging to take them again in discharge of taxes for the same value—these pieces of paper may be used instead of coins; and if, after the rate (of the coins and paper together) has been reduced to the metal value of the coin, the issues are further increased, a corresponding quantity of coins will be returned to the vulgar uses of gold watches or silver spoons. And for every piece of paper so issued, the value is in the hands of the issuer, which is the government; while at the same time the gold and silver returned to vulgar uses, go to the benefit, not of the government, but of the public as distinguished from the government. The most considerable fall below the metal value, causes coins to go out; but as all that go out are paid for to the holders, and the public have still a currency as before, the public, who are the holders, are the gainers of the amount. There is no mystery in the business. A bit of paper is made to serve the purpose of gold and silver; and as the gold and silver must have been found and paid for by the community in some shape and at some time, so their value goes back to the community or to some part of it when they are dispensed with, which is as it ought to be. An operation is performed like what takes place when a family resolves to drink out of glass instead of silver. The glass serves the purpose of drinking as well; and since the family is paid for the old silver when it goes into the melting-pot, it is plain that the value of it goes to the family.

But what seems never to have been thought of till what was called the stoppage of the Bank of England in 1797, is that these pieces of paper may and will keep their value, or at all events a certain value, though the government should make no pretence, or in other words should utterly refuse, to pay them in any manner or form, other than by taking them for the

taxes. Men gazed at one another when this discovery was made,—being at a loss to comprehend how the letters *BANK* over a government house in Lothbury, should convey any different consequences from the same letters over a private house in their county-town. But it is obvious enough now, that the things are totally dissimilar, bating the letters and the paint. In short it is established by experiment, which determines every thing, that a government may say ‘Let this bit of paper go for a guinea,’ and it will go accordingly,—*subject always to the same laws with respect to the greater or less quantity of the issues*, as would take place if there were guineas instead of paper, and they could not be transformed.

But if the government issues a greater number of these bits of paper than are wanted to supply the circulation at the value inscribed upon them, the prices of goods must rise, or the value of the paper fall, on the same principles as in the case of coins. And if these issues go on, it is manifest that the amount of the superfluous issues must, from time to time, be taken out of the pockets of the holders of the circulating medium at large, by the value of the increased quantity being continually reduced to the value of the old ;—and further that a huge robbery must be made out of the fund-holders, by paying them with a paper with the same value written on it in words, but which has been made of a less real value, for the express purpose of keeping the difference. This was the Pitt fraud ; the fraud of him for whom men still meet and huzza, because they would like to do the same again. He took, on a moderate computation, thirty-seven millions from the stock-holders, and eight millions and a half from the holders of the circulating medium ; of which last sum not quite five millions were allowed to go to the private bankers, as a mode of securing their acquiescence in the transaction. The amount can be calculated to sixpence, if only the data can be obtained ; and these are the results from the data, as nearly as they can be had. Every body knows what is done with a man who takes twenty shillings ; but forty-five millions is a different thing, and besides it was taken to prevent a reform in parliament.

Whoever has got the length of understanding the preceding statement, is able to enter into the question now pending on the subject of the currency. As usual, it is a question whether somebody shall rob the public or shall not ; and you and I and every body, are the public, who are to be robbed or the contrary, according as we have the wit to take care of ourselves. The Bank of England is, or ought to be, the agent of the public. It is the government’s banking shop, which means the commu-

nity's banking shop; in the same way that the Victualling Office is the community's pork and beef shop. It is the place where the community banks on its own account; as the other is the place where it buys pork and beef. Or if it is not this, it ought to be; and it is only through some trick that it is not. Let the construction of the Bank of England be beset with mysteries, as thick as rogues in Newgate,—and still it either is the agent of the public, or it ought to be. It may carry on its operations through the intervention of a contract more or less fair, or through a greater or less quantity of job and consequently of dishonesty; but still it is as immutable as one of nature's laws, that let its estate be as bad as it may, one part of what it does is for the public, and the remainder fraud.

This being settled, it is clear that whether the Bank of England is exactly what it ought to be, is a removable part of the question,—a part that may be set aside to a convenient season, without interfering with the ease just now before the jury of the public. The Bank of England stands forward as the representative of the banking office of the community,—the place where the community issues its paper instead of gold, and puts the difference of cost into its own community pockets. If it is not all this, *make it so*. There is no doubt that the agents are paid; perhaps they are paid ten times over. But let this be settled another time,—do not let it stay the hearing of the present cause. The Bank of England then—by a fiction perhaps—is the public. And the public can make a saving of, it may be, forty millions, by issuing its paper to that amount instead of gold. Hereupon stand up an order of men, and say that *they* will have half of the public saving; and the reason is, that they will issue the paper. They say it is their trade,—and how hard it is to keep a man out of his trade? They might just as well demand to take the pitch and tar out of the dock-yards; and say it was their trade to keep a cart and horse to carry them away. What they demand is, to carry off a portion—some twenty millions perhaps—of the gold and silver which were bought and paid for by the community; by substituting their own paper instead of the paper of the community. They say they will buy paper and black it with ink, and fit up a room with desks and high stools, and *therefore* they will carry away the money; just as the other man says he will fit out a cart, and pay for greasing the wheels, and therefore he will carry away the pitch out of the dock-yards. There is not an atom of difference between the two things in reality; and all the differences that are alleged, are only of that kind of mystification in which consists the art of public wrong. They say, for instance, that they are

bound to pay in gold if the public demands it, and that they can only keep out their paper in proportion to their credit and their wealth. But this does not affect the fact, that they mean to divide twenty millions of the public property among themselves. The people who are interested in their having no more paper than they can pay, and the people who are interested in their having *no paper at all*; are different sets. John complains that he is robbed, and the answer is that Thomas cares nothing about it.

The simple truth is, that the business of a private banker is to keep people's money, as the London bankers do; and to lend *his own* money if he likes it; but not to *make* money, or in other words take the money of the public. Every private banker's note in existence, is a demonstration of so much that has been taken out of the pocket of the community with license of the government, and applied to private use; in the same manner as if barrels of pitch with the king's mark, were found running about private dock-yards, from a similar spirit of diffusive benevolence. What is given in return, may be surmised in one case as it would be in the other; love, good-will, support of the great interest, propping of church and state, hatred of 'radicals,' which means those who would hinder it. If it is not so, why not stop it?

Whenever the community is to be robbed, the art is to demonstrate to each individual that he gains a shilling, though the community is charged for it a pound. This is the *be-all* and *end-all* of public fraud; and he who understands it, knows the whole mechanism of that dignified dishonesty, which it is not the custom to visit with the penalties of law. This is at the bottom of the opposition to Free Trade, and of the Corn-Laws; and till men cease babbling of their wisdom and their ancestors,—and find out that they are great fools, the sons of greater, and just beginning to feel their way out of a system where they were robbed in all directions through their own ignorance and folly,—the robberies must go on.

The principles given above, are either wrong or right. If they are not wrong, they open a ready way through wildernesses of groundless assumption and interested perplexity. They demonstrate, that the Letters containing such valiant words of "out claymore, and down wi' gun," were only an exhortation to the sonsy and twice-thinking Scots, to threaten a civil war in defence of the privilege of being plundered. If men had been invited to do this for any thing but a fraud and a wrong, it would have been called treason; for treason is the *Tory's wife*, what other men can sin withal but not himself.

The right of insurrection is sacred, when the people are to be injured ; ill only when they are to be preserved from injury. It is worth remembering, that it was not *we* but the Ultra Tories, that proposed insurrection as the means of settling a question with the government about bank-notes. They may depend upon it they shall have enough of "pipe and drum" if the time comes ; but they may as well have patience till it does. If they do not have their way, the king "shall not sit upon his throne!" *They* hinder the king from sitting on his throne?—when, stand but the Horse Guards neuter, and the poor 'radicals' as they are called—the men in black beards and greasy coats, the food for yeomanry, the dust the Corn-law mill throws round, it in its course,—would read them such a lesson, as should make them forswear politics and addict themselves to partridge eggs, for the rest of their natural existence. Power may be sublime, and malevolence terrific ; but malevolence without power, is a chained baboon, the dread of women, the mock of boys, the ugliest and least respectable inmate in the whole garden of Zoology.

To the original wrong by which the whole amount of private notes is taken from the public, are to be added the inevitable evils which arise from their defect of payment. All the sufferings—and they are immeasurable—which have arisen to parts and portions of the public, from the failure of private banks, are the result of the "pitch and tar" system,—of the practice of allowing the public property to be taken by individuals for their own use. The putting down the private *one-pound* notes, is a step towards the further justice of putting down the private paper altogether ; and then the government will be at liberty to consider the practicability of giving the value of the metallic currency to those who are the owners.

ART. VI.—*Edinburgh Review*, No. XCVI. Art. VII.—*Bentham's Rationale of Evidence*.

"MR. BENTHAM'S reputation is at present thoroughly European ; but, on the other hand, he has been left almost a stranger in his father's house. Whilst he is known by his great qualities abroad we have been amusing ourselves, like the valet-de-chambre of a hero, with his foibles and peculiarities at home. The correspondent of Corteses, Liberators, and reforming Princes, has had among ourselves little choice but between ribaldry and neglect." Such is the well-founded remark of the writer of a paper on the "Rationale of Evidence," in the *Edinburgh Review* ; and, so perfectly satisfied does he appear to con-

time the injustice he has described, that the whole tendency of his article is, to furnish excuses for the neglect, and encouragement to the ribaldry, which have long been the lot of the benevolent philosopher in his own land. The Reviewer admits, in a concluding paragraph—which, in the brevity of its virtue, resembles a death-bed penitence—the benefit which his own mind has derived from the work under examination, and yet throughout the critique he has laboured with splenetic industry to heap up instances which may repel others from the same stores. He has fed upon the corn, and gathered the nettles as sample of the produce of the field. He has turned all his researches to the apology or gratification of the prejudices hostile to their subject. Points detached from their text, and standing in insulated asperity, are accumulated with minute and laborious care; and arguments are represented after a chemistry which has evaporated their force, while it has reduced any bitterness they may have contained to an essence. This indeed may be remarked as a pregnant indication of the *malus animus* with which the critic has executed his work, that when he disapproves, he quotes the text of Mr. Bentham; but, when compelled to praise (one doubtful instance excepted in p. 476), he merely gives his own sketch of the Author's opinions. Thus to recur to our former illustrations appropriate to the present charge: The nettles he scrupulously offers in their natural form, but the corn is not rendered till after a process which fits it only for manure. What he accounts bad he submits with the candour of a Blifil in its original state; but what he esteems good he passes through his own mind; which has, we make no doubt, extracted, as he avers, much nourishment, but the residue is certainly not improved by the operation. He may be, as he declares, much the better for Bentham; the obligation is not reciprocal. Had the Reviewer, however, merely failed in attempting to convey an impression of the Author's strength, we should have had no quarrel with him for the miscarriage in skill: our protest is against the manifest unfairness with which he has executed his undertaking. He begins and ends with an admission of the value of our distinguished Jurist's labours, and he exerts himself through nine tenths of the long intermediate space in throwing up matter which may feed the vulgar prejudices, and render Bentham a sealed book to the British Public.

In order to set down English indolence in contented ignorance, it was obviously desirable to shew that the success abroad of Mr. Bentham's productions, was referable to causes which had no operation at home. The admission having been

made, that the prophet neglected among ourselves is honoured in every other quarter of the civilized world, it became necessary to the credit, comfort, and indeed the continuance of idleness and prejudice, to adduce some reason, other than the qualities we have named for the discrepancy in question. For this end, it is discovered that our philosopher of jurisprudence is indebted for his fame abroad to the editorial judgment, and improvements of manner of M. Dumont, his elegant translator; while it is intimated, that in his native guise he is "*informe ingens, immane,*" unintelligible and barbarous. Bentham's is represented as the rude quarry, and Dumont as the Praxiteles, who gives form and expression to the rough material. The share of merit which properly belongs to the judicious translator, rescues this method of detraction from comparison with the dispute between the organist and the bellows-blower. It is true, that M. Dumont has admirably performed his task of preparing Mr. Bentham's works for the foreign taste, but it is false that they are unreadable or repulsive, as pretended, in their original state. When we make this assertion, we by no means intend to impute to the Reviewer the offence of having given out that which is false, with a knowledge of its falsehood, but, whatever degree of moral obliquity belongs to stating what is false in ignorance of its falsehood, but with an indifference to the truth, is chargeable against the critic of the *Edinburgh*. We are firmly persuaded that his whole knowledge of Bentham is confined to the "*Rationale of Evidence,*" and perhaps some smattering of the Dumont editions of one or two other works. We express this opinion the more confidently, because, though we call in question the fairness of the Reviewer's criticism, we readily admit his intelligence, and are convinced, that he could not have read some of Mr. Bentham's earlier productions, without perceiving that his positions of disparagement would be serious impeachments of his own taste and judgment.

Addison, if we remember rightly, tells a story of a Puppy, who, having long been content to abuse Aristotle, without acquaintance with a page of his writings, at last declared to a friend, "I have read Aristotle, and he is not such a fool as I thought him." It is Mr. Bentham's fate to be abused and praised on the same terms.

The opinion of his writings entertained by those entirely ignorant of them (the injustice can only be expressed in the solecism) is, that they are of a dryness and dulness which defy perusal. Those, however, who dip into a small portion of them, but sufficient to shew that Aristotle is not such a fool as they thought him, soon discover, that the charge of dryness and dul-

ness is the very last that can with justice be preferred against him. In the investigation of truth, Mr. Bentham, indeed, makes merry with error and falsehood. A seasoning of unlaboured, and we believe unconscious, wit, gives piquancy to his wisdom. \Pleasantry is popular, and the confession that it is to be found in his writings, would derange all preconceived aversions, and serve as recommendation: how then could this fact be dealt with by one who from *esprit de corps*, or any other motive, was inclined to hostility to our Author? The mode of proceeding in such cases is sufficiently familiar to the practised critic. The rule is, to give the merit the name of the fault nearest to it in kind and degree. Consequently, if a writer is precise and argumentative, he may be called dogmatical. If pithy, he is obscure. If pleasant, a buffoon. Thus, for example, when Folly was out of countenance at the exposures of her by the Reviewer, who has had no equal since the days of Swift, the partisans of the Goddess took their revenge by nick-naming the disturber of the Dunce's peace, the Merry Andrew of the *Edinburgh Review*. The critic of Mr. Bentham adopts these tactics, but not with the appropriate consistency in disparagement. For instance, in one place we are told that our great jurist's "caricatures are almost always heightened by a comic raciness, worthy to shake the sides of Rabelais or Swift," while in others we have allusion to "venerable buffooneries," Brobdignag brats rioting over their go-carts: the junction of Achillean Jurist and Thersites in the same person; the roll on the ground of ungainly greatness for relaxation; jocular ornaments, such as "the grinning faces and burlesque forms," with which monkish builders have studded our magnificent cathedrals; and, to wind up all these base comparisons, Mr. Bentham's writings are said, "to exhibit a contest between Momus and Minerva, which of them should have the greatest share in fitting up this singular understanding. They are a picture, where Ostade's ale-house boors are sitting, with pot and pipe, among Poussin's shepherds, or at the foot of Raphael's Madonna—and sketched out on a plan, which would have made the plot and catastrophe of Romeo and Juliet partly turn on the adventures of Punch and Judy. The frequent absence of a plain work-a-day sense among all his great endowments, reminds us of Augustus, Emperor of the World, sitting in his palace without a shirt to his back, or a glass window."*

* Had this idea appeared in London instead of an Edinburgh publication, it would have been greedily seized on, and instanced as a capital specimen of *Cockneyism*. Our fellow-citizens are reproached with the habit of supposing, that what is necessary to themselves, is essential to all other

Augustus, we make no sort of doubt, sat in his palace with all things proper to his time and occasions : and so Mr. Bentham appears in his works. His jokes are like the great Composer's notes, against the number of which objection was taken by coxcombical Royalty,—just so many as are requisite, and no more. But even such are the arts of disparagement. The English public recoil from an author under an impression that he is dull. A critic knows the falsehood of that notion, but endeavours to supersede it with another prejudice, which may operate to the same end, by pronouncing him a buffoon. 'It is too grave tragedy,' object the million : 'it is extravagant pantomime,' cries the detractor, and with knowledge of the better truth.

The very person, however, who imagines these faults in disparagement of Bentham, indulges in them in his own pages to a most copious excess. Degrading allusions absolutely pour from his pen ; and in his eagerness to assail, his figures jostle together in wondrous confusion, as in a riotous mob when many set on one ; we see them falling foul of each other in the impetuous hurry with which they rush to the attack of the solitary object of their wrath.

In one place Mr. Bentham's productions are "noble ursine offsprings." In another he is part and parcel of a learned ox, and anon he is reduced to a pot of French soup for foreign consumption. He wears armour such as was never seen in field, Christian, or Pagan. In the very same sentence [p. 459] he is a horse with his head in the air, and the bit out of his mouth rioting in wild galloping excursions ; and while thus equine, his style is affirmed to be as mysterious as the bricks of Babylon ! He too much resembles Moses, not in meekness, but the want of an Aaron. And yet he is extraordinarily like Don Quixote. Without Dumont, he is St. Paul's in a fog ; and his sense struggling through his phraseology, is as the hinder parts of a

people in all other climes ; and of ridiculing, compassionating, or despising those who vary in any particular from their modes of life. Thus the *Edinburgh Reviewer* imagines Augustus in his palace without a shirt or glass-window, a person in a ludicrous plight.

The Architect of the monument, proceeding upon the same prejudice, embellished the Roman costume by the addition of a flowing wig. The Dutch painter too, a *Cockney*, in his way, rescues the Children of Israel in the Desert from the meanness of nakedness, by investing the men with trunk breeches, and the women with flaming petticoats and ample hoops.

A northern critic, is more especially inexcusable for committing the particular blunder we have noted in the estimate of the appropriate, considering that the Scotch have a proverbial sneer at "pitying a goose for ganging bare foot." A timely recollection of the saying might have rescued Augustus from the ridicule of shirtlessness.

lion pawing to get free. In three short and consecutive sentences, in p. 461, Mr. Bentham is a veiled prophet, not a home-preacher, but a bad artilleryman, and a Procrustean bed-maker.

In five short and consecutive sentences, [p. 465] he is a father, industrious in propagation, careless of provision; his "Rationale of Evidence" resembles the splendid foundling of some Brobdignag parish, scrambling after its broken go-cart. He is a banker in good credit, and also he is Adam of human reason.

Page 467, his mind is a camel, good for passing deserts, and licenced to carry a monkey on its back; and, in the next breath, the aforesaid camel is towing in company with the Reviewer against the stream.

In page 462 Mr. Bentham is Leviathan swimming without corks; and in the very next clause of the sentence, a bridegroom following up the impression created by his picture. The experiment—whether of swimming without corks, or of following the impression of the picture, does not appear—is then apprehended not to have answered, "for people are not so fond of science, as of diamonds." The fish cannot swim without corks, or the bridegroom follow up the impression of his picture, because people are not so fond of science as of diamonds!

Even such jumble of metaphor is not uncommon in the composition of our nice critic, who in his own writing furnishes specimens of even more literary vices than he gratuitously condemns. We shall cite another example,—

'When the crane retorted on the fox his spiteful invitation, the supper is said to have been served up in "long-necked bottles; and a corkscrew, however ingenious, which would only draw its cork under the hand of a professional assistant, would scarcely satisfy a host who intended that his company should make merry.'—p. 492.

A reward might safely be offered for the discovery of the connexion between the former and the latter part of the sentence. The author is much indebted to his "and," which is an arbitrary conjunction, of an incongruity-compelling power. But this is the person who gleans the illustrations, sarcasms, and jocular points of Bentham, and apart from their appositeness and application, holds them up to censure! This is he who carefully culls, as he himself admits, a nosegay of our jurist's nettles (if we may be allowed the Gallicism), to serve to his unpopularity among the lawyers, into whose hands his books must chiefly fall. "For some," he considerately observes, "will be disgusted—and more, simply fatigued, by such indiscriminate, fanatical, and interminable abuse."

As we have before remarked, the vulgar prejudice has been that Bentham is dry “as the remainder biscuit after a’ sea voyage :” the Reviewer could not confirm this extremely false notion of ignorance, and he admits some aspersions of pleasantry, but cries “naught, naught,” and condemns it under the description of buffoonery. With what truth he prefers this charge, we shall elsewhere show.

Another prejudice, that Mr. Bentham’s style is, throughout his writings, cramped, uncouth, and unintelligible, the Reviewer, in sheer ignorance, as we believe, encourages; making the usual exception in favour of the *Treatise on Usury*, and coming to the conclusion that, with the exception of that universally-admired performance, Bentham is only accessible through the medium of Dumont. We are ready to concede that Mr. Bentham’s earlier was his better manner of composition, and in it we have his pre-eminently valuable writings on Judicial Establishments, Scotch Reform, Morals and Legislation, not to mention many other masterly tracts of an interest more temporary. These productions are elegant and forcible in the translation of Dumont, and they are nervous and perspicuous in the English; but the Reviewer, we are convinced, had no knowledge of them in the latter dress, consequently adopting vulgar report, he has committed himself to his hardy, sweeping, and unjust censures. And certainly when such a critic as that under our consideration condemns a style for obscurity or unintelligibility, the complaint acquires an undue force from the argument *a fortiori* occurring to the reader—if he, ‘often so obscure and unintelligible, finds fault with the obscurity and unintelligibility of another, how great must it be!’ It is like Rabelais’ fox complaining of a bad smell. We shall give a few examples of the critic’s performance, whence his title to judgment may be inferred; after which we shall cite some specimens of Mr. Bentham’s writings from the works we have named.

Ὀλίγη λιβάς εκ πίδακος ἱερῆς.

First for the Reviewer: having spoken of the national indifference to the subject of Mr. Bentham’s labours, and affirmed that it cannot alone account for the neglect of the author, he says—

‘His most passionate admirers cannot throw the whole scandal of this anomaly (none has been mentioned) on our aboriginal horror of systematic jurisprudence—an alienation of feeling, in truth, at the present day about as well informed, in the quarters where it most exists, and certainly much less grounded than the famous “*Nolumus*,” of the Norman barons.’—
p. 459,

A well-informed alienation of feeling, has the merit of novelty of expression at least, whatever may be thought of its significance; but what is the meaning of "the alienation of feeling much less grounded than the famous *Nolumus* of the Norman barons?" It were as intelligible and rational to speak of a substance much sweeter than a right-angled triangle. What in the name of *Œdipus* could alienation of feeling, whether ill or well informed, have to do with the *Nolumus* of the barons?

In page 461, the Reviewer having, as we have elsewhere mentioned, likened Mr. Bentham to a veiled prophet, a bad artilleryman, and a bed-maker, proceeds to observe, that—

'He is as little scrupulous at times with particulars as with generals. Thus, having settled it that the English law was formed by lawyers for their own selfish purposes, neither Descartes, nor Mr. Owen, nor any other manufacturer of systems, can more resolutely forget, step over, or distort all such facts as are inconsistent with his theory. It is accordingly without any apparent suspicion of *their* own previous fallibility, or any diminished scorn of the unacquaintedness (a handsome coinage), especially of lawyers, with the human heart, that Mr. Humphrey's excellent book is announced as a moral no less than an intellectual phenomenon.'

Now who, we inquire, are the lawful and grammatical constituents of the mysterious pronoun "their," which bears all the disgrace in the last sentence. Only Mr. Bentham, Descartes, and Owen have been mentioned, in the preceding passage, and neither Descartes nor Owen have claim to any part in the sneer. Such is the perspicuity of the critic who condemns Bentham for perplexity, and complains of standing "staring for a meaning" among his reforming sentences.

Page 485.—'The inspiration of passion, and a transcendental confidence in the metaphysical formulæ of his own school, seem to have so entirely superseded all investigation into the real history of our laws, that we should as soon hope to enter on a reasonable biography of the human race as moral agents with those divines who will not stir an inch beyond Original Sin and Newgate.'

The Reviewer obviously intended a parallel, and has only presented the first line of it, diverted from his purpose by the allurements of the illustrative part. This sort of omission is essentially anile, and is to be classed with those intelligent modes of speech, "only think;" "well I'm sure;" and "I'd as soon;" which, expending themselves in emphasis, never reach the matter. The critic, however, we must admit, has improved upon the bald brevity of "I'd as soon," for he has advanced to

show what he had as soon do, and retrenched only as too luxuriant the other branch necessary to the completion of, his parallel. It is a one-pronged fork, and in so much an amendment of the gossip's formula which is simply the horn handle.

In an apologetic explanation of the motives for ~~law~~ fictions [p. 491], it is said—

‘The judges forget that the only object for which these subsidiary branches (pleading and evidence) existed, was to feed the trunk and body of the tree, and not to draw away its strength in idle foliage of their own. Too happy, however, in the opportunity of inventing a new science in an age when, for lack of real ones, the kindred subtleties of logic and school divinity were a man's principal intellectual enjoyments, they went on constructing an independent system, artificially deduced out of its own technical principles; without inquiring how far any new figment was likely to assist, or to impede, in the efficient execution of the superior chapters of the law.’

It is said that legislators once ordered a new jail to be built out of the materials of the old jail, in which it was enacted, the prisoners should continue to be confined till the new jail was finished; and surely these sages alone are competent to inform us how it was possible, according to our Reviewer's statement, to construct an independent system deduced out of its own technical principles—that is to say, supplying the meaning of the pronoun, to construct an independent system deduced out of the independent system's own technical principles. So stands the proposition, and it is stark and staring nonsense. As well might we babble of constructing a house out of the identical constructed house's own plan and architecture. Swift's projector's scheme of beginning buildings from the top, after the manner of spiders, is more feasible.

To retort the Reviewer's own words upon him, with the necessary alterations for the person, office, and object—such are specimens of the style that he has adopted, in a paper full of minute and elaborate criticism, the task of a week for the detraction of an age of labour. We cannot however say of his obscurities all that he affirms of Bentham's, the first clause only of the following passage being applicable to parts of the observer's composition:—

‘Even the cabinets of diplomacy can scarcely have witnessed so successful an employment of words for the concealment of thoughts as is here exhibited; you see a vast idea and power of mind struggling through the phraseology which encumbers it, and which seems tumbling round about it, till it is not

without some difficulty that you at last discover underneath, the lion with its hinder parts pawing to get free.”—p. 460.

In the critic's perplexities, we clearly see a jargon equalling any mystification of diplomacy, but no vast idea struggling through the phraseology, and the animal whose hinder parts are discovered by the kicking of his hoofs, certainly bears no sort of resemblance to a lion.

We shall now produce some specimens of Mr. Bentham's matter and manner, with a view to showing that wherever the nature of the subject permits, his writing is eminently calculated to be popular, as clear in argument, and rich in the aptest and neatest illustration. Our first extract shall be from the “Rationale of Evidence” which, with the exception of the solitary doubtful instance already reserved, the Reviewer has never quoted, unless to feed hostile prejudices. The argument is on the irrationality of the Law's exclusion of Evidence on the score of interest. The *Edinburgh Reviewer* has endeavoured to make a summary of this disquisition, and has occupied several pages with an imperfect and feeble *résumé* of the rapid and vigorous text. His epitome has simply the fault of being, with relation to ideas, longer than the original in words, and short of it in demonstration. Of such of our readers as are unacquainted with Bentham, we entreat a careful reading of this argument.

‘To understand what interest means, we must look to motives: to understand what motive means, we must look to pain and pleasure, to fear and hope: fear, the expectation of pain or loss of pleasure; hope, the expectation of pleasure or exemption from pain. The causes of physical motion and rest are attraction, impulse, and so forth: the causes of psychological motion and rest are motives. Action, or (in opposition to action) rest,—action, whether positive or negative,—action, without motive, without interest, is an effect without a cause.

‘It is not out of every sort of pleasure, out of every sort of pain, that a motive, an interest, is (at least in a sense applicable to the present purpose) capable of arising. Some pleasures, some pains, are of too ethereal and perishable a nature to excite an interest, to operate in the character of a motive.

‘The pleasures and pains which present themselves as capable of acting in that character, have, in another work, [Spirits of Action Table.] been reduced to a certain number of heads.

‘In the estimation of vulgar prejudice, there is a natural alliance between improbity and intelligence, between probity and imbecility. In the estimate of discernment, they are differently grouped: improbity and hebetude; probity and intelligence.

‘ Ignoramus has, for the purpose of this topic, composed his system of psychology. What is it? A counterpart to the learned Plowden’s system of mineralogical chemistry: equal as touching its simplicity; equal as touching its truth. Two parent metals, sulphur and mercury: the mother, sulphur; the father, mercury. Are they in good health? they beget the noble metals: are they in bad health? they beget the base. *Fortes creantur fortibus, et bonis.*

‘ With minds of every class the mind of the lawyer has to deal. Of the structure of the human mind what does the lawyer know? Exactly what the grub knows of the bird it preys upon. By tradition, by a blind and rickety kind of experience, by something resembling instinct, he knows by what sophisms the minds of jurymen are poisoned; by what jargon their understandings are bewildered; how, by a name of reproach, the man who asks for the execution of the laws and the formation of good ones is painted as an enemy,—the judge who by quibbles paralyzes the laws which exist, and strains every nerve to prevent their improvement, is pointed out as an idol to be stuffed with adoration and with offerings.

‘ In the view taken of the subject by the man of law; to judge of trustworthiness, or, at least, of fitness to be heard, interest or no interest is (flagrant and stigmatized improbity apart) the only question. Men at large are not under the action of any thing that can with propriety be expressed by the name of interest; therefore they are to be admitted. ‘Is a man exposed to the action of any thing that can be designated by that invidious name? So sure as he is, so sure will his testimony be false. Enough: all scrutiny is unnecessary: shut the door in his face.

‘ Sinister interest—the term and the distinction are alike unknown to them. Sinister interest? Every thing that can be called interest is in their eyes sinister.

‘ Sinister interest, a term so well known to moralists and politicians, is altogether unknown to lawyers, who have at least equal need of it.

‘ What, then? Is it that there are certain sorts of interests that are always sinister interests, while there are other sorts which, if language, like heraldry, were made by analogy instead of by accident, would be called dexter interests? No, truly. No sort of interest that is not capable of being a sinister interest; no sort of interest that is not capable of being a dexter interest. Acting in a direction to draw a man’s conduct aside from the path of probity, any sort of interest may be a sinister interest: acting in a direction to confine a man’s conduct within the path of probity, every sort of interest is a dexter interest. The modification of probity here in question is veracity. Any interest acting in a direction to draw his conduct aside from the line of veracity, is a sinister interest,—say, in this case, a mendacity-prompting or instigating interest: every interest acting in a direction to confine his discourse, his conduct, his deportment, within the path of truth, of verity, of veracity, is a dexter interest; say, in this case, a veracity-securing interest.

Man in general not interested, devoid of interest? His testimony not exposed to the action of interest? Say rather (for so you must say if you would say true), no man; no man's testimony, that is not exposed to the action of interest.

Well: and that interest a sinister one? Not it, indeed. So far from it, there is no man whose testimony is not exposed to the action of, is not acted upon by, at least three regular and standing, commonly four, forces of this kind; all tending to confine his conduct within the path of probity, his discourse and deportment within the path of veracity and truth.

1. Motive belonging to the physical sanction. Aversion to labour: love of ease: trouble of inventing and uttering a false statement, which, to answer its purpose, must be so elaborated and dished up as to pass for true.

2. Motive belonging to the political sanction. Fear of legal punishment; viz. if it be a case in which (as in general) punishment stands annexed by the legislator or the judge to false and mendacious testimony.

3. Motive belonging to the moral, or say popular, sanction. Fear of shame, in case of detection or unremoved suspicion.

4. Motive belonging to the religious sanction. Fear of supernatural punishment, in this world or in the world to come.

Of these four motives, the three first have more or less influence on every human mind; the last, probably, on most minds.

On most minds, did I say? On all without exception, if the English lawyer is to be believed: for, by a contrivance of his own, he has shut the door against all witnesses on whose hearts motives of this class fail of exerting their due influence.

In the above list we may see the regular forces which are upon duty on all occasions to guard the heart and the tongue against the seductions to mendacity. But, in addition to these, there may be, by accident, any number of others; acting as auxiliaries in their support. No sort of motive (even these tutelary ones not excepted) to which it may not happen to act in the direction of a seductive one; no motive, over and above these tutelary ones, to which it may not happen to act also in the direction of a tutelary one. For what motive is there to which it has not happened, does not continually happen, to be employed in stimulating men to actions of all sorts, good and bad, in the way of reward; in restraining them from actions of all sorts, in the way of punishment?

Between two opposite propositions, both of them absurd in theory, because both of them notoriously false in fact, the choice is not an easy one. But if a choice were unavoidable, the absurdity would be less gross to say, No man who is exposed to the action of interest will speak false,—than to say, No man who is exposed to the action of interest will speak true. Of a man's, of every man's, being subjected to the action of divers mendacity-restraining motives, you may be always sure: of his being subjected to the action of any mendacity-promoting motives, you cannot be always sure.

‘But suppose you were sure. Does it follow, because there is a motive of some sort prompting a man to lie, that for that reason he will lie? That there is danger in such a case, is not to be disputed: but does the danger approach to certainty? This will not be contended. If it did, instead of shutting the door against some witnesses, you ought not to open it to any. An interest of a certain kind acts upon a man in a direction opposite to the path of duty: but will he obey the impulse? That will depend upon the forces tending to confine him to that path: upon the prevalence of the one set of opposite forces or the other. All bodies on or about the earth tend to the centre of the earth: yet all bodies are not there. All mountains have a tendency to fall into a level with the plains: yet, notwithstanding, there are mountains. All waters seek a level: yet, notwithstanding, there are waves.

‘In a machine, motion or rest will depend upon the proportion between the sum of the impelling and the sum of the restraining forces: in the human mind the result will be the same. Every thing depends upon proportions; and of any proportions in the case, the man of law takes no more thought than the machine does.

‘Upon the proportion between the impelling and the restraining forces it depends, whether the waggon moves or no, and at what rate it moves: upon the proportion between the mendacity-promoting and the mendacity-restraining forces it depends, whether any mendacity be produced or no, and in what degree and quantity. Any interest, interest of any sort and quantity, sufficient to produce mendacity? As rational would it be to say, any horse, or dog, or flea, put to a waggon, is sufficient to move it: to move it, and set it a running at the pace of a mail coach.

‘In the human mind there is a force to which there is nothing exactly correspondent in the machine; the force of sensibility: of sensibility with reference to the action of the various sorts of pains and pleasures, and their respective sources, in the character of motives.

‘Take what every body understands, money: for precision’s sake, take at once 10*l.*; the 10*l.* of the day, whatever be the ratio of it to the 10*l.* of yesterday: to the present purpose, depreciation will not affect it. This 10*l.*, will its action be the same in the bosom of Cræsus as of Irsus? in the bosom of Diogenes, as in that of Catiline? No man will fancy any such thing for a moment: no man, unless, peradventure, it have happened to him to have been stultified by legal science’—pp. 35—41.

How clear is the logic, how simple and vigorous the style, how apt and easy the illustration, and strictly concurrent with the argument.

It is pleasant to see the manner in which the critic has dealt with the last excellence in his summary. The ‘All bodies on or about the earth tend to the centre of the earth, yet all bodies are not there. All mountains have a tendency to fall into a level with the plains; yet notwithstanding, there are mountains. All

waters seek a level ; yet, notwithstanding there are waves,'—is rendered by our Reviewer, " Mere tendency is not enough even in physics, or every body would be at the centre." In the preceding sentence, he observes, with similar curious felicity, that, " one ruling passion will outvote five weaker ones, or swallow them up if they say a word." From these energies and graces of critical expression we gladly revert to Mr. Bentham's text :

' It is in psychology as in ship-building and navigation. Suppose the ship's way to depend upon the joint action of six influencing circumstances ; six jointly acting, but mutually conflicting, causes ; and these, each of them, say (for supposition's sake) of equal force, if, in the investigations and reasonings on this subject, so much as one of the six be omitted, error is the inevitable consequence : the forms of mathematical language, instead of a check to the error, will operate but as a cloak to it. The vessel will be in one part of the world, while, the Lagranges and the Eulers are proving it to be in another.

' In this respect, what course of ratiocination has been pursued by lawyers, debating on the ground of established systems ? Of the whole catalogue of motives, each capable of acting upon the will with the most efficient, all consequently with a practically equal force, they have taken observation of perhaps one, perhaps two ; while on each side, or (what is worse) on one side only, the will of the patient has been acted upon by perhaps twice or thrice the number. What, in consequence, has been the justness of the conclusion ? Much about what it would be in navigation, if calculations made for a submarine vessel, or an air-balloon, were to be applied to a ship of ordinary make and size : or as if, in calculating the course of an ordinary vessel, no account were taken of the depth of water drawn by her, or of the position of her sails.

' In this state of the progress made by lawyers in the theory of psychology, no wonder if we should find the theory and practice on the subject of evidence in no better plight than navigation was among the most polished nations of Europe, when the scene of it was confined to the Mediterranean, and when, dreading to lose sight of land, the navigator crept along the shore.

' Between these two, otherwise resembling cases, there is, however, one very material and lamentable difference. In navigation, ignorance, deficient in adequate power, erred by over-caution and timidity : in jurisprudence, ignorance, supersaturated with power, is driven aground continually by hastiness and rashness.

' It would be tedious, and surely by this time superfluous, to pursue absurdity on this ground through all its mazes.

' No presumption so slender, which is not, under some established system, taken for conclusive : if fact, notorious or provable fact, run counter, it makes no difference. Mendacity is presumed from affection ; from bare wishes : wishes themselves are presumed from situations, from relations. Brother will be for brother, master for

servant, servant for master, and so on. What? when you see them fighting with one another every day? Is it for his excessive fondness for Abel, that Cain would have been excluded by you?—pp. 42+43.

Passages such as the above are no rarities in Mr. Bentham's works, and they abound in the "*Rationale of Evidence*." Yet it is affirmed by the fair critic of the *Edinburgh*, that the charms of illustration and of language are, in the eyes of such literary Antinomians, deadly sins. But when the excellencies denied come under his hands, he treats them as cathartically as Molière's doctor would have treated M. Pourceaugnac's signs of health.

We shall next cite a specimen in an entirely different manner. It is from the *Treatise on Judicial Establishments*, one of the best written of Mr. Bentham's works, and containing a germ of almost every inquiry, which he has since developed. The passage is of the highest order of eloquence—its roots in truth, and its nourishment is earnestness. Altogether it is a noble example of what the Greeks called the *δαιμόνιος*.

'An official monopoly of the right of prosecution is naturally connected with the policy of sleeping laws. It is a fit instrument of such policy, and at first sight, one would suppose an indispensable one. It is easy enough to conceive how laws should sleep, when there is but one man in the world that can call them into life. How this should ever happen, when it is in the power of any one of the community whatever to awaken them at pleasure, is not so obvious. Sure it is, that for such a lethargy there can be no place, but for some radical principle of weakness pervading and debilitating the whole system. If the burthen of discouragement that presses upon the faculty of calling the laws into action is so enormous as to amount in general, in quiet times, to a prohibition, laws may remain thus torpid, though that faculty exists in appearance every where. But such is not the natural state of things; and a man must have some acquaintance with the English system of procedure, to be able readily to conceive it. Setting out of the question a state of things so singular, a country where the temple of penal justice is thrown wide open, is not a natural receptacle for sleeping laws. Those who look upon such furniture as either useful or ornamental, should suffer but one door to that temple, and lodge the key of it in a single hand.

'Of the condition of him whose curse, I had almost said whose crime, it is to live under such laws, what is to be said?—It is neither more nor less than slavery. Such it is in the very strictest language, and according to the exactest definition. Law, the only power that gives security to others, is the very thing that takes it away from him. His destiny is, to live his life long with a halter about his neck: and his safety depends upon his never meeting with that man whom wantonness or malice can have induced to pull at it. Between the tyranny of sleeping laws, and the tyranny of lawless monarchy, there

is this difference: the latter is the tyranny of one, the other is the tyranny of millions. In the one case, the slave has but one master; in the other, he has as many masters as there are individuals in the party by whom the tyranny has been set up.

'Tyranny and anarchy are never far asunder. Dearly indeed must the laws pay for the mischief of which they are thus made the instruments. The weakness they are thus struck with does not confine itself to the peccant spot; it spreads over their whole frame. The tainted parts throw suspicion upon those that are yet sound. Who can say which of them the disease has gained, which of them it has spared? You open the statute-book, and look into a clause: does it belong to the sound part, or to the rotten? How can you say? By what token are you to know? A man is not safe in trusting to his own eyes. You may have the whole statute-book by heart, and all the while not know what ground you stand upon under the law. It pretends to fix your destiny: and after all, if you want to know your destiny, you must learn it, not from the law, but from the temper of the times.—The temper of the times, did I say? You must know the temper of every individual in the nation; you must know, not only what it is at the present instant, but what it will be at every future one; all this you must know, before you can lay your hand upon your bosom, and say to yourself, I am safe. What, all this while, is the character and condition of the law? Sometimes a bugbear, at other times a snare; her threats inspire no efficient terror; her promises, no confidence. The canker-worm of uncertainty, naturally the peculiar growth and plague of the unwritten law, insinuates itself thus into the body, and preys upon the vitals, of the written.

'All this mischief shews as nothing in the eyes of the tyrant by whom this policy is upheld and pursued, and whose blind and malignant passions it has for its cause. His appetites receive that gratification which the times allow of: and in comparison with that, what are laws, or those for whose sake laws were made? His enemies, that is, those whom it is his delight to treat as such, those whose enemy he has thought fit to make himself, are his foot-stool? their insecurity is his comfort; their sufferings are his enjoyments; their abasement is his triumph.

'Whence comes this pernicious and unfeeling policy? It is tyranny's last shift, among a people who begin to open their eyes in the calm which has succeeded the storms of civil war. It is her last strong hold, retained by a sort of capitulation, made with good government and good sense. Common humanity would not endure such laws, were they to give signs of life: negligence, and the fear of change, suffer them to exist so long as they promise not to exist to any purpose. Sensible images govern the bulk of men. What the eye does not see, the heart does not rue. Fellow-citizens dragged in crowds, for conscience sake, to prison, or to the gallows, though seen but for the moment, might move compassion. Silent anxiety and inward humiliation do not meet the eye, and draw little attention, though they fill up the measure of a whole life.

Of this base and malignant policy an example would scarcely be to be found, were it not for religious hatred, of all hatred the bitterest and the blindest. Debarred by the infidelity of the age from that most exquisite of repasts, the blood of heretics, it subsists as it can upon the idea of secret sufferings, sad remnant of the luxury of better times.*

‘It is possible that, in the invention of this policy, timidity may have had some share; for between tyranny and timidity there is a near alliance. Is it probable? Hardly: the less so, as tyranny, rather than let go its hold, such is its baseness, will put on the mask of cowardice. It is possible, shall we say, that in England forty should be in dread of one: but can it be called ‘probable,’ when in Ireland forty suffer nothing from four-score?’—pp. 27—30.

In this M. Dumont had no part, and we have not according to the Reviewer’s invidious suggestion, to inquire what share the Genevese editor has had in the merit of the nominal author. Indeed, in Bentham’s writings, untouched by any other hand, we could easily and abundantly shew evidences of every kind of excellence; and that, wherever he has chosen to adopt a forbidding guise, it has been his choice, as the befitting livery of his pilgrimage to the shrine of truth. He is no tricky aspirant for instant fame, but a patient labourer for the world’s good, intent only on securing truth, opening the paths of wise policy, and carefully setting a mark on each of the many mazes of error. In this task he is necessarily minute, and as necessarily has to minds undisciplined to study, the appearance of prolixity and tediousness. Those who, like Polonius, “Sleep, but for a jig, or tale of bawdry,” may certainly dose over some of our great jurist’s pages: He sifts sands for gold, and the thankless scoff at the slow but thrifty labour.

* ‘Seventy thousand Catholic Dissenters, added to two hundred thousand Presbyterians and other Protestant Dissenters, are to join in first subduing, and then oppressing, eight millions of Church-of-England men. So irrational are the principles of these heretics, that their prevalence is the greatest calamity that can befall the nation. So rational are they at the same time, as well as so concordant among themselves, that they want nothing but fair play and the liberty of being heard upon equal terms, to gain the majority of Churchmen, and make them either Catholics, or Presbyterians, or Independents, or Quakers, or all at once. To prevent a catastrophe thus horrible and thus imminent, the whole body of these heretics are to be kept in a state of slavery, collectively and individually, with regard to the whole body of the orthodox. The former are to be with regard to the latter, precisely what the Helotes were with regard to the Lacedæmonians. Every man of the one class is to have it in his power at pleasure to devote to ruin every man of the other, whenever he happens to be in a mood for it. Upon such terms, and upon such terms only, the church is safe.’ Happy, indeed, is it, that since this was written there has been an approximation towards a better state of things.

One objection, perhaps just in part, the Reviewer has urged against Mr. Bentham, which is, that he expects too much from human reason. To this miscalculation, is probably referable the knots which occasionally perplex the composition of his late productions. He supposes in the reader a logical faculty corresponding with his own, omitting to consider, or careless of the fact, that the world is composed of children, who must run and read, or run from their reading. These faults are, however, not, as pretended, the characteristics of his style; they are, in truth, as the knots in a fine-grained wood; and the reader, acquainted with the general material, is in no degree discouraged by the scattered obstacles.

We have already cited passages exemplifying our Author's powers of argument, vigour of style, and felicity of illustration; we have also quoted a specimen of his little-suspected eloquence; we shall now instance his wit—and a Wit he might have been, of no common order, had he not, happily for the world, contented himself with the less thankful office of a Sage.

' The various systems that have been formed concerning the standard of right and wrong, may all be reduced to the principle of sympathy and antipathy. One account may serve for all of them. They consist all of them in so many contrivances for avoiding the obligation of appealing to any external standard, and for prevailing upon the reader to accept of the author's sentiment or opinion as a reason for itself. The phrases different, but the principle the same.

' It is curious enough to observe the variety of inventions men have hit upon, and the variety of phrases they have brought forward, in order to conceal from the world, and, if possible, from themselves, this very general and therefore very pardonable self-sufficiency.

1. ' One man says, he has a thing made on purpose to tell him what is right and what is wrong; and that it is called a *moral sense*: and then he goes to work at his ease, and says; such a thing is right, and such a thing is wrong—why? "Because my moral sense tells me it is."

2. ' Another man comes and alters the phrase: leaving out *moral*, and putting in *common*, in the room of it. He then tells you, that his common sense teaches him what is right and wrong, as surely as the other's moral sense did: meaning by common sense, a sense of some kind or other, which, he says, is possessed by all mankind; the sense of those, whose sense is not the same as the author's, being struck out of the account as not worth taking. This contrivance does better than the other; for a moral sense, being a new thing, a man may feel about him a good while without being able to find it out: but common sense is as old as the creation; and there is no man but would be ashamed to be thought not to have as much of it as his neighbours. It has another great advantage: by appearing to share power, it lessens envy: for when a man gets up upon this ground, in

order to anathematize those who differ from him, it is not by a *sic volo, sic jubeo*, but by a *velitis jubeatis*.

3. 'Another man comes, and says, that as to a moral sense; indeed, he cannot find that he has any such a thing: that however he has an *understanding*, which will do quite as well. This understanding, he says, is the standard of right and wrong; it tells him so and so. All good and wise men understand as he does: if other men's understandings differ in any point from his, so much the worse for them: it is a sure sign they are either defective or corrupt.

4. 'Another man says, that there is an eternal and immutable rule of right: that that rule of right dictates so and so: and then he begins giving you his sentiments upon any thing that comes uppermost: and these sentiments (you are to take for granted) are so many branches of the eternal rule of right.

5. 'Another man, or perhaps the same man (it's no matter) says, that there are certain practices conformable, and others repugnant, to the fitness of things; and then he tells you, at his leisure, what practices are conformable and what repugnant: just as he happens to like a practice or dislike it.

6. 'A great multitude of people are continually talking of the Law of Nature; and then they go on giving you their sentiments about what is right and what is wrong: and these sentiments you are to understand, are so many chapters and sections of the Law of Nature.

7. 'Instead of the phrase, Law of Nature, you have sometimes, Law of Reason, Right Reason, Natural Justice, Natural Equity, Good Order. Any of them will do equally well. This latter is most used in politics. The three last are much more tolerable than the others, because they do not very explicitly claim to be any thing more than phrases; they insist but feebly upon the being looked upon as so many positive standards of themselves, and seem content to be taken, upon occasion, for phrases expressive of the conformity of the thing in question to the proper standard, whatever that may be. On most occasions, however, it will be better to say *utility*: *utility* is clearer, as referring more explicitly to pain and pleasure.

8. 'We have one philosopher, who says, there is no harm in any thing in the world but in telling a lie; and that if, for example, you were to murder your own father, this would only be a particular way of saying, he was not your father. Of course, when this philosopher sees any thing that he does not like, he says, it is a particular way of telling a lie. It is saying, that the act ought to be done, or may be done, when *in truth*, it ought not to be done.

9. 'The fairest and openest of them all is that sort of man who speaks out, and says, I am of the number of the Elect: now God himself takes care to inform the Elect what is right; and that with so good effect, that let them strive ever so, they cannot help not only knowing it but practising it. If therefore a man wants to know what is right and what is wrong, he has nothing to do but to come to me.

'It is upon the principle of antipathy that such and such acts are

often reprobated on the score of their being *unnatural*: the practice of exposing children, established among the Greeks and Romans, was an unnatural practice. Unnatural, when it means any thing, means unfrequent: and there it means something; although nothing to the present purpose. But here it means no such thing: for the frequency of such acts is perhaps the great complaint. It therefore means nothing; nothing, I mean, which there is in the act itself. All it can serve to express is, the disposition of the person who is talking of it, the disposition he is in to be angry at the thoughts of it. Does it merit his anger? Very likely it may: but whether it does or no is a question, which, to be answered rightly, can only be answered upon the principle of utility.

‘Unnatural, is as good a word as moral sense, or common sense; and would be as good a foundation for a system: Such an act is unnatural; that is, repugnant to nature: for I do not like to practise it; and, consequently, do not practise it. It is therefore repugnant to what ought to be the nature of every body else.

‘The mischief common to all these ways of thinking and arguing (which, in truth, as we have seen, are but one and the same method, couched in different forms of words) is their serving as a cloak, and pretence, and alimient, to despotism; if not a despotism in practice, a despotism however in disposition: which is but too apt, when pretence and power offer, to show itself in practice. The consequence is, that with intentions very commonly of the purest kind, a man becomes a torment either to himself or his fellow-creatures. If he be of the melancholy cast, he sits in silent grief, bewailing their blindness and depravity: if of the irascible, he declaims with fury and virulence against all who differ from him; blowing up the coals of fanaticism, and branding with the charge of corruption and insincerity, every man who does not think, or profess to think, as he does.

‘If such a man happens to possess the advantages of style, his book may do a considerable deal of mischief before the nothingness of it is understood.

‘These principles, if such they can be called, it is more frequent to see applied to morals than to politics; but their influence extends itself to both. In politics, as well as morals, a man will be at least equally glad of a pretence for deciding any question in the manner that best pleases him, without the trouble of inquiry. If a man is an infallible judge of what is right and wrong in the actions of private individuals, why not in the measures to be observed by public men in the direction of those actions? accordingly (not to mention other chimeras) I have more than once known the pretended law of nature set up in legislative debates, in opposition to arguments derived from the principle of utility.’

There can be but one opinion of the style and easy pleasantry of this raillery, the more admirable as its humour is dependent on its truth. At the moment when we write it is especially applicable, a member of the collective wisdom having gravely pro-

pounded in parliament, that an able judgment on the Catholic question may be 'founded on sentiment, and without any relation to reason or knowledge.

Again we ask, what can be more agreeable, more rationally playful, seasonably piquant, and altogether calculated for popularity, than the following exposure of law maxims?

'When, in justification of an article of English Common Law, calling uncles to succeed in certain cases in preference to fathers, Lord Coke produced a sort of ponderosity he had discovered in rights, disqualifying them from ascending in a straight line, it was not that he loved uncles particularly, or hated fathers, but because the analogy, such as it was, was what his imagination presented him with, instead of a reason, and because, to a judgment unobservant of the standard of utility, or unacquainted with the art of consulting it, where affection is out of the way, imagination is the only guide.

'When, I know not what ingenious grammarian, invented the proposition *Delegatus non potest delegare*, to serve as a rule of law, it was not surely that he had any antipathy to delegates of the second order, or that it was any pleasure to him to think of the ruin which, for want of a manager at home, may befall the affairs of a traveller, whom an unforeseen accident has deprived of the object of his choice: it was, that the incongruity, of giving the same law to objects so contrasted as active and passive are, was not to be surmounted, and that *atus* chimes, as well as it contrasts, with *are*.

'When that inexorable maxim (of which the dominion is no more to be defined, than the date of its birth, or the name of its father, is to be found,) was imported from England for the government of Bengal, and the whole fabric of judicature was crushed by the thunders of *ex post facto* justice, it was not surely that the prospect of a blameless magistracy perishing in prison afforded any enjoyment to the unoffended authors of their misery; but that the music of the maxim, absorbing the whole imagination, had drowned the cries of humanity along with the dictates of common sense. *Fiat Justitia, ruat cælum*, says another maxim, as full of extravagance as it is of harmony; Go heaven to wreck—so justice be but done;—and what is the ruin of kingdoms, in comparison of the wreck of heaven?

'So again, when the Prussian chancellor, inspired with the wisdom of I know not what Roman sage, proclaimed in good Latin, for the edification of German ears, *Servitus servitutis non datur*, [God. Fred. tom. ii. par. 2. liv. 2. tit. x. § 6. p. 308.] it was not that he had conceived any aversion to the life-holder, who, during the continuance of his term, should wish to gratify a neighbour with a right of way or water, or to the neighbour who should wish to accept of the indulgence; but that to a jurisprudential ear, *-tus -tutis* sound little less melodious than *-atus -are*. Whether the melody of the maxim was the real reason of the rule, is not left open to dispute: for it is ushered in by the conjunction *quia*, reason's appointed harbinger; *quia servitus servitutis non datur*.

‘Neither would equal melody have been produced, nor indeed could similar melody have been called for, in either of these instances, by the opposite provision: it is only when they are opposed to general rules, and not when by their conformity they are absorbed in them, that more specific ones can obtain a separate existence. *Delegatus potest delegare*, and *Servitus servitutis datur*, provisions already included under the general adoption of contracts, would have been as unnecessary to the apprehension and the memory, as, in comparison of their energetic negatives, they are insipid to the ear.

‘Were the inquiry diligently made, it would be found that the goddess of harmony has exercised more influence, however latent, over the dispensations of Themis, than her most diligent historiographers, or even her most passionate panegyrists, seem to have been aware of. Every one knows, how, by the ministry of Orpheus, it was she who first collected the sons of men beneath the shadow of the sceptre: yet, in the midst of continual experience, men seem yet to learn, with what successful diligence she has laboured to guide it in its course. Every one knows, that measured numbers were the language of the infancy of law; none seem to have observed, with what imperious sway they have governed her maturer age. In English jurisprudence in particular, the connexion betwixt law and music, however less perceived than in Spartan legislation, is not perhaps less real nor less close. The music of the Office, though not of the same kind, is not less musical in its kind, than the music of the Theatre; that which hardens the heart, than that which softens it:—sostenutos as long, cadences as sonorous; and those governed by rules, though not yet promulgated, nor less determinate. Search indictments, pleadings, proceedings in chancery, conveyances; whatever trespasses you may find against truth or common sense, you will find none against the laws of harmony. The English Liturgy, justly as this quality has been extolled in that sacred office, possesses not a greater measure of it, than is commonly to be found in an English Act of Parliament. Dignity, simplicity, brevity, precision, intelligibility, possibility of being retained or so much as apprehended, every thing yields to harmony. Volumes might be filled, shelves loaded, with the sacrifices that are made to this insatiate power. Expletives, her ministers in Grecian poetry, are not less busy, though in different shape and bulk, in English legislation; in the former, they are monosyllables; in the latter, they are whole lines.’

These, as we premised, are but drops from the sacred fountain, or bits detached from a pile dedicated to truth and justice, not as specimens of the temple, but as proofs that the description of the composition, as “mysterious as the bricks of Babylon,” must have been written in ignorance of the material. We have detached clips of the strata which run through Mr. Bentham’s work; occasionally they are lost, we admit, in a less distinct and less practicable substance, but they are the strata nevertheless, and the interruptions are the exceptions, not as pretended, the characteristics of the formation.

Abundant as our jurist is in palatable matter, one circumstance places an impediment to his popularity, the most difficult to overcome, namely, his volume. But we understand it is in project to form a collection of his writings for popular use, and we can imagine no work better adapted to inform and gratify intelligent minds, disabuse the public opinion, and supersede the *Edinburgh Reviewer's* invidious motion for a writ of partition to ascertain and separate the merits of Bentham and Dumont—a suggestion founded on the false assumption that the author is in English unintelligible, injudicious, unwieldy, and repulsive, in short nought without his foreign editor.

The critic's charges against Mr. Bentham, regarding matter, are mainly that he reviles the lawyers (poor things!) and uniformly condemns the law, proceeding in his plan of reform by the rule of opposition, and seeking what *ought to be*, in the direction diametrically contrary to what *is*. • •

In support of the first accusation, the Reviewer has with anxious care collected all the reproachful things Mr. Bentham has said of lawyers, in five huge volumes devoted to the exposure of their craft; and he has presented them apart from the provocative arguments, in such form, that they bear the air of scriptural verses, and certainly sound like scriptural truths.*

The critic seems to deny (we say 'seems,' for he is seldom distinct in argument, though abundantly plain in detraction) that the defects and vices of the law are attributable as his author affirms, to the interest of the lawyers, but it is at least a circumstance of very strong suspicion, that the faults in our jurisprudence are uniformly found concurrent with the advantage of the practitioners. We never perceive the set of errors adverse to the set of professional profit: they always flow amicably together. Invariable coincidence then raises a reasonable presumption of cause and effect. But our Reviewer appears to have his own explanation for the grosser part of the absurdities of the law, its fictions—the invention of these, he discovers, is

* Even this nosegay of nettles, as he terms it, the Reviewer cannot make fairly; he garbles, and misrepresents. For instance, Bentham gives this eminently happy illustration of the common law:—

"When a man has a dog to teach, he falls upon him, and beats him; the animal takes note of the circumstances in which he has been beaten, and the intimation thus received, becomes in the mind of the dog a rule of common law."—*Rationale of Evidence*, vol. ii. p. 475.

The Reviewer cites this passage, and heads it "They (the lawyers) are dog-trainers."

But in the very next paragraph to that so cited, as applying to the lawyers, Mr. Bentham attributes the blame of unpromulgated law to legislators.

not referable to any undue interest, but simply and solely to sport! The lawyers devised them for amusement, for pastimes, in lack of other intellectual enjoyments. Such is the meaning we extract from the galimatias we have quoted in page 375, about the construction of an independent system artificially deduced out of its own technical principles, &c. An elucidation, so whimsical, scarcely needs or allows of comment. The great master of the heart, Fielding, sets forth, that when Jonathan Wild and the count sat down to play, with a knowledge that there was not a stiver to lose between them, yet did the hand of Jonathan find its way into the pocket of the count, while the latter, on his part, could by no means forbear from packing the cards. But Fielding ushers in these facts, with the observation "such was the force of habit," and we suspect, a kindred habit, originating in the pursuit of gain, must account for the lawyer's alleged sportive creations of fiction, if any such there were. We do not observe, however, that they ever packed the cards without a stake, and what is more, the certainty of winning it. And further, we must remind the Reviewer of fictions, the object of which was professed to be the increase of business in particular courts. The *ac etiam*, for example, of the Common Pleas; an avowed trick for the custom of the shop; so also the *quo minus* of the Exchequer. The purpose was confessed in these instances, because the figment was comparatively innocent, as innocent as the example of the policy of falsehood can ever be, but for one comparatively innocent fiction avowed, there are a score of mischievous ones, whose object of professional advantage will be stoutly denied.

As the Reviewer does not deny that there are in the general mischievous vices in the law, and as he disputes the motives for their contrivance rather than their evil nature, it is unnecessary for us to enter into the last exposure. Before we quit the subject of falsehood, we must observe, however, that the champion of the gown, cannot with any pretence to candour, affect astonishment at Mr. Bentham's complaint of the mendacity of the Bench, for instances in support of the accusation are too naked and notorious for gloss or denial. What a decent moral exhibition is a judge's earnest exhortation to a prisoner to retract his plea of guilty, on the score of his *chances* of acquittal in the teeth of his confessed guilt. In such case, of constant occurrence, the person solemnly appointed to the discovery of truth, says in effect, "Tell a lie, that good to yourself, and evil to the community may come of it. The law is a lottery, put in boldly, utter the falsehood which is the price of a ticket, and you may win a prize, an acquittal, criminal though you are."

But for such, and all other faults, flaws, errors, and absurdities, we are not *folsooth* to blame the lawyers. It is for the legislature to amend the practice and principles of our courts, and what class in parliament, officials excepted, is more influential than the professional, and what has been the sum of their exertions in the province of reform? There *was* a Romilly; and there *is* a Brougham. *Voilà tout!* We are admonished against rashly judging of the order from the speeches of government lawyers, who represent nothing beyond their own personal tendencies and the brief which the minister of the day may put into their hands, but from what better specimens are we to form an opinion. Shall we set up the great Whig leader of the King's Bench as a standard? Him, who, when it was proposed to get rid of the iniquitous fees on acquittal, the tax on innocence for numerited pain and vexation, coolly remarked, that *he did not see how it was possible* to do away with those extortions. But then, it is true, the Whig was Attorney-general, and thus he came within the list excluded from example by the Reviewer.

With extreme satisfaction, however, we admit that there are in the body in question, exceptions to the general rule of preferring professional interest to public advantage. There are men of the first ability sincerely anxious for a reform of the laws, but the number is scant, and the honour shared by so few, is proportionately the greater. The most distinguished of these highly meritorious individuals, is Mr. Bickersteth of the Chancery bar.

"The second most striking feature (says the Edinburgh Reviewer), it seems, in the character of lawyers (after mendacity) is their cruelty."

He then, proceeding according to his practice of detaching, dislocating, and garbling, quotes as much as he can cram together of what Mr. Bentham has said on divers occasions and in sundry places on the cruelty of lawyers. One of these passages is so striking, so strong in truth, notwithstanding all the arts used to render it a disparaging example, that we cannot forbear quoting it—

'The pretext of tenderness to the innocent and the guilty, is only an invention, by which the natural and implacable enemies of justice are enabled to extend the mass of their own despotism, by increasing capital punishments. They thus combine the profits of cold barbarity with the praise of humanity, and swell that state of things, by which every year the lives of men, by dozens and by scores, are laid at the feet of every English judge. In proportion as the procedure is loose, the punishment is severe. 3. v. 147.

'In the Genesis of lawyer-craft, death begets quibbles, and quibbles'

beget death. The tenderness of lawyers begins in selfishness, continues in hypocrisy, and ends in cruelty. 5. v. 236.

‘Hypocrites! what reason have you ever given for your human sacrifices other than used to be given in Mexico, and is now given in New Zealand? If chance must decide, let it be fortune, and not fraud, in the name of fortune: If you must admit dice into your courts of justice, let your dice be fair.’ 4. v. 569.

It is, indeed, the trick of English jurisprudence to obtain favour for the chicane and quibble of the law, by exhibiting them as remedial of its odious severity. The lion is always exposed to the net, but the meshes may be gnawed by a mouse. The sword of justice hangs as the sword of Damocles; and the cob-web is excused which suspends its cruel stroke. Let the *Edinburgh Reviewer* consider the quibbles, to which resource has been had with popular grace, for the evasion of the law of Forgery alone, and deny the truth of Mr. Bentham’s representations. Let him look at Mr. Justice Bayley with magnifying glass in hand, espying a tick in a forged cheque, and discovering in it a variation working the prisoner’s delivery, that too after confession, and a retraction at the urgent instance of the court, of the plea of guilty. Is this humanity? No, it is the relaxation of cruelty. It is because the general rule of law is bloody, that the community suffer, and indeed rejoice at, the tricky shifts of the administrators, for its evasion. The excesses of the law leave the neutral ground on which the judge’s despotism is free to expatiate. If they choose to smite sorely, it is the strict letter of justice; if they please to spare, it is mercy. But lawyers who see, and seeing approve these things, are not cruel—no more cruel than the man who eats mites in his cheese—that is, they have no malice against the destroyed. Burke, who slew men as butchers slaughter sheep for the profit of their bodies, had no malice against the sufferers. Science, not of law but of surgery, needed the immolation. With practice the assassin, too, acquired a professional obtuseness to the pleadings of humanity.

We have already far exceeded the limits within which we had intended to confine this notice of an artful labour of insidious detraction; and must leave untouched a considerable quantity of matter that provokes animadversion. We must leave Mr. Mill, junior, under rebuke for having found fault with the English law, lacking the knowledge of a craftsman; while it is confessed that the law should be level and accessible to all understandings—whence the very accusation of ignorance becomes a condemnation of the thing indicated, and we must leave Mr.

Bentham under the reproach of having uniformly sought justice in a direction opposite to the rules and practice of our courts; his justification, however, may be intrusted to the experience of every day without much danger of detriment to his fame. For that fame, we have ultimately no apprehension.—Posterity will recognize the value of labours, which have had for their motive, end, and reward, the benefit of mankind; and for their directing principle, abstraction from the sum of human pain, addition to the sum of human happiness.

ART. VII.—*Calendarium Inquisitionum Post Mortem sive Escaetarum*, vol. iv. *Temporibus Regum Hen. V, Hen. VI, Edw. IV, et Ric. III: Cum Appendice de quamplurimis aliis Inquisitionibus a regno Hen. III, usque Jac. I, nuper repertis.* Printed by Command of His Majesty King George IV, in pursuance of an Address of the House of Commons of Great Britain, fol. 1828.

OUR readers will not, we hope, take alarm at this title, and imagine that a review of a mere Calendar of Records is to be inflicted upon them. The object of this article is a very different, and a much more important, one, as it is our intention to comment upon the labours of the Commission, by whose authority the volume has been printed, and to inquire into the organization of the principal offices in which the muniments of the country are preserved, with the view of laying before the public a statement of the abuses which exist with respect to them, and the manner in which those abuses operate to retard historical research, and to impede the course of justice.

We need scarcely observe, that Chronicles are the great sources whence our historians have derived their information; who with very few exceptions, have been contented to state the facts which occur in those works, without troubling themselves to inquire whether there is other evidence of an historical nature, beyond what is to be found in the valuable compilation of Rymer. Sensible of the utility of the various chronicles, the government some years since, appointed Mr. Petrie, the greater part of whose life has been passed in collating MSS. of that description, to prepare the result of his labours for publication. This resolution was, in every point of view, a praiseworthy one; because the object was of national importance, and the gentleman selected, is perhaps the fittest in England for the task. All that is to be regretted on this subject is, that not a line of this edition of the Chronicles is yet sent to press; and that, as the learned editor has long passed the meridian of life, and as the first three or four volumes will only come down.

to the time of the Conquest, it is certain, that even if he lives to see the commencement of his work, it must be left to other and possibly less competent hands to complete it. Excepting, then, the addition of a little more activity, in order that the present generation may benefit by this undertaking, every thing is in progress with respect to the Chronicles, that can be desired; and a period *may arrive*, when an edition of them will appear worthy of the subject, and of the country.

Few persons are ignorant, that there are other sources of British history, which are in some respects of greater importance, because they are more minute in details; they sometimes develop the real causes of transactions; and are always of great historical value. We allude, among other articles of a similar kind, to official and private correspondence; to commands issued on the occurrence of any event; to private journals; to the proceedings in various trials; to acts of the privy council; to journals of embassies; to rolls of expenditure; to household and wardrobe accounts of our monarchs; and, in a word, to every species of *contemporary* records, the far greater part of which have never been used in elucidation of history.

The sources of history which remain to be consulted by our historians are the muniments which we have briefly enumerated and which are preserved in the different Record Offices at the Tower, the Chapter House, the Rolls Chapel, the Exchequer, the State Paper Office, the Parliament Office, &c. All these documents are unquestionably the property of the public; they are in most cases preserved at the expense of the public; and the public have a full and perfect right to the use of them without being subjected to any other restriction than may be necessary for their safe custody. What those restrictions should be, will be considered hereafter; and we shall now contrast what ought to be, with what are, the facts on the subject.

First, with respect to the Record Office in the Tower, which contains the most important and extensive collection. This office forms part of the Court of Chancery, but the keeper and clerks are paid by the Crown, so that no possible objection can be started to allowing its contents to be gratuitously consulted, and any extracts made, on the ground that the salaries of the Custos and his clerks are derived from fees, since it will be manifest that those salaries are quite as much as they ought to be, without an increase from any source whatever. The following statement is taken from the "First Report of the Commissioners for examining into the Duties, Salaries, and Emoluments, of the Officers, Clerks, and Ministers of the several Courts of Justice," which was ordered to be printed in May, 1818.

‘ KEEPER OF THE RECORDS IN THE TOWER.

‘ The duty of this officer is carefully to preserve the Rolls and Records in the Tower of London ; to attend at the Record Office, by himself or his deputy ; to produce Rolls and Records to persons who apply for them, and to make copies of the same ; to attend both Houses of Parliament, and the Courts of Judicature, with such Records when required, and to arrange and make indexes to the Records.’

‘ As keeper of such Rolls and Records he has, for more than a century past, received a salary of five hundred pounds a year, payable out of the Treasury.

‘ This officer is, and has been ever since the year 1704, supervisor of the business of sorting and digesting the Rolls and Records, for which purpose certain allowances by way of salary, have been made at different times under Treasury warrants to clerks attending the Record Office. The number of these clerks, and the amount of the salaries to them, have varied. Ever since the 5th of July, 1809, there have been four clerks, with the following salaries fixed, with the approbation of his Majesty’s Commissioners on the Public Records. First Clerk 250*l.* a year ; Second, 200*l.* ; Third, 150*l.* ; Fourth, 100*l.*

‘ The Lords Commissioners of the Treasury have also authorized the employment of two supernumerary clerks, at one hundred and twenty pounds per annum, each.

‘ No fees appear to be due to the deputy or clerks.

‘ FEES TAKEN.

‘ Every search, the time being known.....	£.0	10	0
‘ Taking down each Record, and the inspection or reading the same (which is deducted if a copy of such Record be ordered).....	0	6	8
Every sheet copied	0	1	0
The master or deputy’s hand to each copy	0	2	0
Every record carried out of the office to either House of Parliament, or to any of the Courts of Judicature	1	0	0
Examining and signing each copy of a Record..	0	2	0
Re-examining a copy of a Record made in the office, besides the fee for the search for each brief sheet	0	1	0
Re-examination of any copy of Chancery proceedings made in the office, each Chancery folio	0	0	1

‘ By the time being known, the reign being known is, in practice, understood to be meant. This fee is, at the present time, and probably has been ever since the year 1774, frequently compounded for in the following manner. When the time is not known within the compass of any particular reign, so that numerous searches may be expected to be necessary, the sum of five guineas has been taken for a general search through the office. Where the search has

been general, from the beginning of the reign of Elizabeth, to the end of that of Anne, for a bill and answer, the *sum of three guineas* has been taken as such composition. These compositions for fees appear to be, in many instances, *mitigations of the charge* which the officer might make under the order of 1743. It is probable that the search mentioned in that order had a primary, if not exclusive, application to Chancery proceedings, such being the only ones arranged by terms. But by fair analogy to the order, four terms would mean a year, as applied to records not classed by terms; the officer now searches a whole reign for ten shillings; whereas, by the *apparent analogy of the order*, he might take ten shillings for each year searched in that reign, without any composition, and if parties were not desirous of compounding where the reign was unknown, searches for proceedings not classed by terms, might extend through a series of reigns at ten shillings per year in each of those reigns, and as applied to the Chancery proceedings, the searches might extend through so many terms, that at the rate of ten shillings for each four, the fees would greatly exceed what is taken under the present composition.

‘The hours of attendance at the Record Office in the Tower are, from ten in the morning, till three in the afternoon, excepting holidays.

‘The holidays are the King’s and Queen’s Birth-days, the King’s Coronation and Accession, the 30th January, the 25th March, Good Friday, three days at Easter, three days at Whitsuntide, the 29th of May, the 24th of June, the 29th of September, and three days at Christmas.’

All these salaries and fees were recommended to be allowed by the Commissioners without any deduction, and continue to be taken at the present hour. Thus no individual can look at a document which is confessedly the property of the public, and for the conservation of which the public is taxed, without paying the sum of sixteen shillings and eight-pence, of which sum, ten shillings is for making the search, as it is termed, and six shillings and eight pence, for one of the clerks rising from his chair, walking a few yards, and opening a Roll. The Roll, we will suppose, is produced, and the ten shillings for the search paid; the applicant then finds that he must not make any extracts, and is, therefore, obliged to order a transcript, to which he is the more encouraged, because he learns that his six shillings and eight-pence, for the clerk’s corporeal exertions of “taking down the Roll” will be deducted from the amount. The expense of the copy is one shilling per folio, *i. e.* for every seventy-two words, with two shillings more for examining and signing the transcript. To illustrate the effect of this system upon the public, we will imagine that a person requires a copy of a record, which when printed like this article, would fill four of our pages, each of which contains forty-five lines of, on the

average, twelve words; or five hundred and forty words per page, which multiplied by four, will give two thousand one hundred and sixty words, the charge of which would be,

Search	£.0	10	0
Thirty folios.....	1	10	0
Examining and signing	0	2	0
Stamp, about	0	4	0
<hr/>			
Total for a copy of 2,160 words..	2	6	0

Now, supposing that ten guineas per sheet are paid for an article in any work, the writer would receive for four pages, about 2*l.* 12*s.*; so that the expense of a mere transcript of a *public record*, from a *public office*, the keeper of which receives 500*l.* per annum from the public, and the six clerks whose duty it is to copy these records, are paid salaries of from 250*l.* to 100*l.* per annum each, amounts altogether, to very nearly as much as is paid for an *original article* in a popular publication.

But this is not all. We will suppose that, after the copy has been obtained, it may be necessary for the forms of some court, that the transcript should be re-examined, that is, simply read over with the original; in that case, the fee of the search is *again* charged, and precisely the *same sum* is demanded, as was paid for the transcript; so that one shilling is paid, not for writing, but for *reading* seventy-two words, which perhaps the same person had before copied and read!

The Calendars to many records in the Tower, have been printed at the public expense, which if they be of any use, must be presumed to be as references to the records themselves. An applicant accordingly proceeds to the Tower, with the reference to the year, roll, and membrane, of the document he wishes to consult. This avails him nothing: the clerk will take down the same printed book from which he took his reference, make, or pretend to make, the identical reference, and charge him ten shillings for "the search." If, however, a person wishes to know whether a particular record exists, he must submit to the expense of a "general search," which amounts to *eight guineas*, namely three guineas for consulting the "*private index*" to the Chancery proceedings, and five guineas for the other records, which search, if the office was open to the public, and the indexes what they ought to be, any man with a common intellect might make in about an hour.

It seems, however, from the words of the "*Return*," which we have printed in *Italics*, that a merit is made for not charging higher fees, and that the keeper deems himself entitled to do so. Although one pound is perhaps not too much for producing a single record in either House of Parliament or court of justice,

yet, when, as very frequently happens, the officer brings ten, or even more, at the same time, to charge one pound for *each* is enormous. The hours of attendance ought to be extended until four or five o'clock, instead of the office closing at three, and if there be no other business, the clerks might be usefully and properly employed in arranging the records, and making complete indexes, &c. The number of holidays, which amount altogether to nineteen days in the year, ought to be lessened, or at least a part of the clerks only should be absent at the same time, so that excepting on Sundays, fast days, and a few days at Christmas, some person might always be in attendance.

Thus it appears, that the total sum which this office costs the country in salaries, is 1,440*l.*, and yet not a line of any record can the public see, without a toll of 16*s.* 8*d.*, or a word be copied, without a tax, which almost amounts to a prohibition; and that if a search of a conclusive nature be made, the expense amounts to *eight guineas*.

At the Rolls Chapel, the fees are as heavy as at the Tower; but the keeper does not receive any salary or emolument, beyond what is derived from them, and pays his clerks himself, which, until a better system prevails, is some excuse for the charges made. The effect on the public, is nevertheless the same, and the principle itself is a bad one, for it is in fact, placing the muniments of the kingdom in the hands of persons, who for preserving them are at liberty to make as much as possible out of the permission given to others to use them. At present, the price for searching the Calendar for *every year*, is *one shilling*; for taking down every roll, *two shillings and sixpence*; for taking out a record from any bundle for inspection, *six shillings and eight pence*; for every ninety words copied, one shilling and three pence: for the exemplification of every skin of sixteen sheets, that is for an exemplification of every 1,440 words, *one pound six shillings and eight pence*. For what is termed "every cancellation," ten shillings; for re-examination, three-pence per sheet, which is moderate compared with the Tower, where a re-examination is charged the same price as a new transcript. The fee for attendance with *every record* out of the Rolls, is the same as at the Tower, namely, one pound, and the remark before made on the subject, applies in this instance, that where more than one record is required on the *same occasion*, the charge is an exorbitant one. A perfect idea of the whole expense of a search at the Rolls Chapel, will be shewn by the following passage, which occurs in the Return:—

'Parties desirous of making searches, being frequently unprovided with the necessary heads for references, by means of the indexes or calendars attached to the office, and it being thus uncertain to what

number of years the search might extend, without the use of such a *private index* or calendar as is herein after mentioned ; the fee has in such cases, frequently been compounded for, at the desire of the party making such search, and the sum of *five guineas* and no more has been taken by the present officer, though a *larger sum* seems to have been taken on the same occasion by his predecessor.'

Of this *private index*, the keeper presents us with the following information :

' A private index or Collection of References to Records alphabetically arranged, was originally purchased by his predecessor Mr. Rooke, and has since been bought by himself, from Mr. Rooke's representatives. He states himself to have added various useful references, distinct from the annual calendars or indexes, which he considers it to be the duty of his office to make. He considers it of great importance to the public, that this collection should be attached to the office, and states himself willing so to attach it, upon grant of a suitable salary to the office.'

Though in this instance, the system seems to be more in fault than the individual, it is worthy of remark, that the charge of five guineas for the use of this private index is considered very *moderate* ; and that it is in its owner's power either to fix a larger price for its use, or to withhold it altogether ; but we happen to know of another private index at the Rolls Chapel, of which not a word occurs in the Return, namely, a private index to the sale of the Dean and Chapter Lands during the Commonwealth, the fee for opening which, is *two guineas*, thus making altogether *seven guineas* for a general search. It would certainly startle a person unaware of the practice of record offices, to learn that the preliminary step to seeing perhaps ten words of a document which is notoriously *public property*, is the trifling cost of *five or seven guineas* ; that even when he has submitted to this demand, he may be told, that no such record is there, or if it be found, that he is not permitted to make a solitary memorandum of its contents, much less copy it ; but that if he require a transcript, he must pay one shilling and three-pence for every ninety words, besides the fee for attestation and the stamps. We will suppose, by way of illustration, that a person wishes a copy of a record made, and that it has been found after a "general search," that he is obliged to have a copy of it, and that the copy would, if printed, fill four of these pages ; his bill would be as follows :—

General Search	£.7	7	0
Copy of 2,060 words, at 1s. 3d. for every ninety	1	8	6
Exemplification	1	6	8
	<hr/>		
	10	2	2

great ; and admitting that they were six per diem, the presence of one person would be sufficient, to prevent the documents being injured, whilst the other might be occasionally absent in searching for and producing the records required. Improper conduct in the visitors should be attended with expulsion, and any unwillingness to aid researches, or incivility either of expression or in manners on the part of the clerks ought to lead to their dismissal. This arrangement should be universal in every office of Public Record in Great Britain, and the only possible objection which can arise is, that the records are legal evidence ; that promiscuous access to them would affect their value in that point of view, since the keepers could not so well vouch for their purity ; and that the present keepers have a vested interest in them. These objections we shall consider seriatim.

It seems difficult to explain, how a hundred people being allowed to peruse or copy a record could affect its authenticity in a greater degree than if ten did so, provided no addition or alteration were made in it by the copiest. All that the courts require is, that a record be produced from the proper custody ; but it is competent for the judge to determine, how far it is to be received as evidence, if any interpolation appears on it. A parish register, for example, is good legal evidence ; but if, as sometimes happens, a forgery has been made in it, the entry is not valid. All we mean is, that the fact of a record being in proper custody, would not render any erasure or addition, which the enemies to the arrangement we suggest, may urge as likely to occur from general access, valid, nor would such interpolations vitiate the record itself.

That every possible care should be taken to prevent records from being destroyed or interpolated, is readily admitted, and the only question is, whether that care is not perfectly consistent with the free access for which we contend. The constant presence of a sworn officer of the office, appears a sufficient protection ; but there can be no objection to some certificate or proof of character being necessary before admission is granted, in the same manner as at the British Museum ; whilst, to guard against caprice, the proof of *moral respectability* alone should be the *sine qua non*.

The third objection that the present Record-keepers have a "vested interest" in these abuses may be easily met. We know that the doctrine of "vested interests" has long been the panoply of every corrupt practice, and every extortion which disgraces this country. But if this objection be valid against a change in the manner of keeping records, so ought

it to be against improving the laws, for every attorney and every counsel has a vested interest in their present state. There are, however, means of overcoming the difficulties in this instance; for, fortunately, nearly all the keepers of records are old men, and if the existing system expired with them, the change would not be very distant; or, if the improvement took place immediately, and moderate salaries were allowed instead of fees, excepting for attendance in courts and for office copies, it would not amount to a very large sum if the loss which the keepers might sustain were made up by a proportionate addition to their incomes during their lives.

A few words will now be said on the free access which some Record offices profess to afford to literary men for literary purposes, because it is an answer which is given whenever the hardship of the system is mentioned; and, if true, would render improvement unnecessary so far as the advancement of historical knowledge is concerned. If an individual is personally known to the keeper, or one of the superior clerks in a Record office, he is, perhaps, permitted to make a few searches and to take notes *occasionally*; nor is it likely that a request, as a personal favour, even from a stranger for such a purpose would be refused, if asked of the Record keepers of the Tower or Chapter House: but why should this access depend upon an act of courtesy? why should a man who is engaged on some work requiring long researches be obliged to incur a personal obligation, when the sources from which he seeks his information are the *property of the public*? In all works of an historical nature, the literary character of the country is, to some extent, interested in their authenticity; should not the materials, then, which can alone render them trustworthily be placed at the disposition of those who will consult them, without obliging the authors to sue for favours, or ruin themselves with fees? Cart-loads of papers are locked up which abound in information of great historical importance, but which their keepers will neither read themselves nor arrange; but which they are suffered to conceal from the whole world, excepting the sacred hoard is approached with a golden key! Admitting, for the sake of argument, that gratuitous admittance is gained to one of these repositories, are the feelings with which the boon is received suited to literary research? In the first place, the person is conscious that he is there by sufferance; that he is consuming the time of the party by whom he was admitted; that every search occasions him some trouble; and consequently a sense of propriety obliges him to make his inquiries as few and as brief as possible. He is uncertain, too,

how much he may copy, or how long he may stay. If the officer be called away, he is not allowed to remain alone, lest he should purloin the records, so that he must go out whilst the custos or his deputy is absent: his occupation is, of course, interrupted, and he knows not for what time. People may come in on business, and delicacy requires him to depart, and it may be days before he can be allowed to return. In his future visits, which are "few and far between," because he knows he must not trespass *too far* on the courtesy and condescension he has experienced, he labours under similar feelings, and experiences similar annoyances; so that he contents himself with the imperfect notes he has taken, and his work is proportionally inaccurate and defective. These are annoyances which attend permission to consult records when conferred by individuals in consequence of a personal acquaintance; but, let a person present himself before one of the subordinates of a Record establishment with an order from the principal or the superior of that principal, and how is he received? His letter of licence is scrutinized, as if it were a suspicious check on a banker; he is generally begged to call again as they are then very busy; and when he is at last attended to, the manner in which he is treated, creates such disgust as effectually to prevent a recurrence of the application, and forms a striking contrast to the alacrity and attention shewn to a solicitor who comes with *fees* in his hand. If any literary man doubts the fidelity of this statement, we would ask the most favoured visitant of Record offices whether he does not pursue his researches there under very different feelings from those which he experiences in the British Museum. There he has only to ask for the MSS. he requires. He uses them as copiously, and changes them as often as he would the books in his own library: he incurs no obligation in gaining admittance: he studies when, and for as long a time, as he pleases; his mind is undisturbed by fearing to encroach on the politeness of others; he meets with no obstacles; the attendants are courteous and obliging, because they know that the maintenance of their places depends on their behaviour; and, remarkable as it may seem, though the Reading-room may be frequented for months without his ever seeing the countenance of a single librarian, he does not regret their absence, because he knows they would be useless to him. Any thing more delightful in this respect than that establishment cannot be imagined; and the important benefit which the public derive from it, is irrefragable evidence in favour of rendering every other repository of information, and, above all, every *public* repository, as easy of access,

as well arranged, as properly conducted, and as free from the disgrace of fees and perquisites. At the British Museum* a whole volume may be copied by merely asking permission; and one third of it without leave, and the trustees properly encourage every publication of its stores. But let a person ask to be allowed to copy a document in the Tower of some length, even for a literary purpose, and without the possibility of profit, and he will quickly find, that this is an extent to which "limits must be placed." He must not transcribe it himself, as it must be done by one of the gentlemen of the office, which means that the whole fees will be charged. At most other offices, also, if the keeper be willing to give up his fees, some of the gentlemen under him have an interest in making transcripts, which must be protected; and thus the unhappy applicant is taxed to an extent which entirely prohibits his researches, unless he has the purse of Cræsus, and patience which rivals that of Job.

We must devote the remainder of this article to some account of the labours of the *Record Commission*; but it is first requisite to notice a very useful suggestion in the last number of the *Quarterly Review*, where some abuses connected with one class of Records are pointed out, though, for a reason easily explained, the writer has shrunk from even alluding to the abuses connected with the Record offices at the Tower, Rolls Chapel, and Chapter House, or the Record Commission. That suggestion is, to form *one general* depository of Records in a central situation, so that one roof may cover the contents of the numerous offices which exist between the Tower of London and Westminster Hall. By this means fewer Record Keepers would be required, and a greater number of clerks for reducing the chaos, which many offices present, to order, and abolishing the necessity of private indexes, and of five-guinea fees for opening them, might be afforded.

* The attention of the benchers of Lincoln's Inn ought to be immediately directed to their library, in which, among other valuable MSS. the collections of Sir Matthew Hale are deposited. According to the present regulations no one (not even the members of the Inn) is permitted to see a MS. without *producing an order signed by two benchers*; and when this mandate is obtained, not a line can be copied, excepting the article expressly mentioned in the order. An illusion to these facts will, we hope, make access to the library as free as it ought to be. We anticipate this, when we see among the benchers of the Inn the names of men distinguished for their zeal in the promotion of knowledge, and who would not suffer a system to exist which renders important MSS. almost useless, if they were aware of it: we allude more particularly to Mr. Jeremy Bentham, Mr. Brougham, and Mr. Denman. A *courteous* librarian, too, would be a public benefit.

The only practical efforts which have been made by government to advance historical knowledge are the establishments of a commission for the preservation of the public Records, pursuant to the address of the House of Commons; and the commission for the publication of part of the MSS. in the State Paper Office. The former of these commissions was issued in 1801, and although numerous volumes have been printed under its authority, it has not effected a tythe of what it ought to have done, and the greater part of the works which have appeared afford one of the most perfect specimens of jobbing which has ever occurred. It would require much more space than we can afford to point out the defects in each of the works to which we allude; and we shall therefore content ourselves with noticing three of the most important of them, namely, the Calendar to the Patent Rolls, the *Fœdera*, and the Calendar to the *Inquisitiones Post Mortem*, the title of the last volume of which stands at the head of this article.

The Patent Rolls, which commence in the 3rd year of the reign of John, 1201, and terminate with the 23rd of Edward IV, 1483, contain grants of offices, honours, and lands, confirmations of grants to bodies corporate, restitutions of temporalities to bishops and abbots, and other ecclesiastical persons, commissions under the great seal, &c., and the information which they afford is of great value. In 1802, the volume entitled "*Calendarium Rotulorum Patentium*" was printed; but a more contemptible production never appeared. Its defects are not only in its execution but in the omissions, as it does not contain a reference to one tenth part, we believe we may even say to one twentieth part of the entries on the Rolls, whilst most of those which are noticed are mentioned in the following perspicuous manner: "*Pro cantar' de Stanley in Essex,*" "*Pro Priore de Blida,*" "*De Ulnagio,*" &c., the subject and object of the grants being left to the imagination of the reader. Indeed, so notoriously imperfect is this Calendar on which the public money has been wasted, that we understand a new Calendar is actually in progress, and that in a *few years*, and after an outlay of an enormous sum, this Calendar will be wholly set aside as useless.

Of the importance of the "*Fœdera*," and the use which has been made of it by historians of all countries, every one is aware. Although two editions already existed, the Record Commission resolved to reprint it, and accordingly three volumes have appeared, each being divided into two parts, forming six very large tomes. To justify this proceeding the contents ought to have been accurately collated with the origi-

nals, and all records of a similar nature which are preserved and are omitted in the previous editions, should have been inserted. How far this has been done, will appear from the fact that in innumerable cases the errors of the old editions have been rigidly retained, and many others committed, especially in the testes of writs and other instruments, whilst the additional matter does not exceed one fifth part of the whole, though every Record office in the kingdom is teeming with materials! This state of things is alike disgraceful to the commission which sanctioned it, to the editors, and to the country at whose cost it has been printed. With the exception of the new matter, which would scarcely have filled half a volume, every line was wholly unnecessary, and when it is recollected how much remains to be done on the subject of our public muniments, this waste of the little money that can be spared for their publication cannot be sufficiently lamented. The truth is, however, that it was easier to form divers volumes from printed books than to select and transcribe MSS.

The Calendar to the Inquisitiones Post Mortem, of which the fourth and last volume has just appeared, has been in progress no less than *twenty-three years*, and eight years have elapsed since the publication of the third volume. It may be desirable to state that these records which are sometimes called escheats, are the inquisitions which were taken on the deaths of all tenants in capite of the crown, by a jury; and state what lands they died seized of, by what services the lands were held, whether the tenants of them were attainted of treason, or aliens; and the names and ages of their heirs. The Calendars present the name of all the lands of which each person died seized, but that information for which Inquisitiones Post Mortem are most frequently consulted, the name and age of the heir, and which might in every instance have been expressed in *two lines*, is carefully suppressed. The motive for this is sufficiently obvious, because if those statements had occurred, it would not be so frequently necessary to consult the originals, and hence divers sixteen shillings and eight-pences would be lost to the keepers, besides the chance of copies being wanted. But these omissions are not the only defects in this Calendar. Numerous escheats are inserted which were not Inquisitiones *Post Mortem*, so that the utmost caution is necessary in using the volumes, lest from finding an inquisition in any particular year, the person to whom it relates should be supposed to have then died, whereas it is often positive proof that he was then living. The confusion created by thus mixing up various kinds of Inquisitions with Inquisitiones *Post Mortem* may be easily conceived, and the errors they produce are both many and serious.

The volume before us was ordered to be printed on the 25th March, 1822, and appeared in January, 1829, so that the trifling period of *seven years* has been necessary for its production, though it seems *two* gentlemen, "Mr. John Caley, Secretary," and Mr. "John Bayley, Sub-commissioner," have been employed on it. The brief notice prefixed to the volume affords some excuse for this delay, but it at the same time shews not only the manner in which the previous volumes were printed, but the present state of the Records in the Tower, for the arrangement and conservation of which the country has long paid 1,440*l.* per annum. We are told that,

'Previous to the completion of the Calendars of the Inquisitiones *Post Mortem*, which are preserved in the Tower, it was deemed necessary that the immense mass of miscellaneous Records in that repository should be carefully looked over, in order that any deficient documents of the same nature should be collected and added to the general series. This has been done during the progress of the present volume; and the result has been *the recovery of a large portion of the inquisitions which are noted in the preceding volumes as lost, and the discovery of upwards of three thousand other important documents of the same kind, in the several reigns from king Henry the Third to James the First inclusive.*'

If, therefore, *three thousand* documents of *one class only* have been *discovered* in the best-arranged and best-paid office in England, what information may not be expected from sorting and arranging the huge masses of records which are suffered to moulder into dust in the Chapter House, Pipe Office, Augmentation Office, and various offices of the Exchequer, the Parliament Office, and, indeed, in nearly every office of Record in the country? More convincing proof of the system which prevails in these offices could not be adduced, than that in an office containing a keeper with 500*l.* per annum, and with fees which would more than double that sum annually, with six clerks whose salaries amount to 940*l.* per annum, *three thousand* of the most useful Records should now be *discovered*, though a Record Commission, which has expended an immense sum, has existed for nearly thirty years.

One more specimen of the abuses which attend printing Records is all for which we can now find room. Our readers know that the Rolls of Parliament form six folio volumes, and they cannot but be sensible how desirable it is that a complete Index to them should be published. This was so obvious, that an Index was ordered to be made about the year 1767, from which time to the present, embracing the trifling period of *sixty-two* years it has been "in hand," but up to this hour it is not completed.

Having noticed the worst of the works printed by the Commission, we must say a few words on the best—the Statutes of the Realm, and the Parliamentary Writs—but neither of which are perfect. The Statutes of the Realm ought to have contained the *private* statutes down to the reign of Charles II., when they cease to be useful as illustrations of history; and the Parliamentary Writs are imperfect from a most extraordinary cause, namely, that they commence with the reign of Edward the First, instead of with the earliest that are preserved. Why the preceding ones were omitted, it would require the genius of a sub-commissioner of the Record Commission to explain, and to them or to the commissioners themselves we must leave it to justify so culpable, we may even say, so absurd, an omission.

It would be very desirable to show how much the system of jobbing which has characterized the Record Commission has cost the country, and the subject is deserving of the attention of the House of Commons. The only authentic information we possess is the “Return of sums of money voted on account of Commissioners for printing in 1826, 1827, and 1828,” printed by order of the House in July last. But this return is so confused and unsatisfactory, that it is impossible to ascertain how much has altogether been paid for each volume to the editor, printer, &c. We learn from it, however, that in the three years from 1826 to 1828, 20,750*l.* were voted to the Commission; that the cost of transcribing and collating the contents of the first volume of the Proceedings in Chancery, the fourth volume of the Inquisitiones Post Mortem, and the third volume of the *Fœdera* was, 2,312*l.* 11*s.* 6*d.*; that the cost of transcribing and collating Records in the Office of the Duchy of Lancaster for the Calendars of Pleadings was 860*l.* 11*s.* 6*d.*; and that the cost of transcribing and collating Records in the State Paper Office and Town Clerk’s Office of London, correcting proofs and compiling Indexes were 624*l.* 14*s.* 4*d.* Thus much of the editorial part of the works: but so successfully has the statement been mystified, that no one can subject these charges to a proper examination, because the costs in no less than three works are thrown into one item; but, as the costs of one volume are stated alone, a fair opinion of the separate charges on the others may be formed. It seems, then, that the expense of merely transcribing the contents of one volume was 860*l.* 11*s.* 6*d.* If the sum of 2,312*l.* 11*s.* 6*d.*, which we are told has been paid for transcribing the three volumes above mentioned, be divided by three, it will allow 770*l.* for each, and when it is remembered that one of them is Rymer’s *Fœdera*, which we have shown is little more than a bad reprint of a former work, the abuses of,

which we complain, will be sufficiently notorious. The printer's bills amount, within the three years, to 13,152*l.* 3*s.* 4*d.*, of which sum no less than 3,877*l.* 3*s.* 9*d.* is for printing the "*Parliamentary Writs*," a volume of 1150 pages; and supposing the transcription was paid for on the average of the other works, that solitary volume cannot have cost the country less than between *five and six thousand pounds*. But what will our readers say when they learn that more than two-thirds of this very volume has been before printed at the public expense, either in the *Rolls of Parliament*, or in the *Appendix to the Reports of the Lords Committees on the dignity of a Peer of the Realm*, and that most of what does not occur in those works may be found in Prynne's "*Kalendar of Parliamentary Writs*." Another item in this return is 1,250*l.* for repairing and binding of decaying Records in the *Rolls Chapel*, the *Chapter House*, the *Augmentation Office*, and in the office of the *Duchy of Lancaster*, the keepers of two of which offices is the worthy Secretary to the Commission, who signs this return, and who, as well as his colleagues, is either paid by government, or by the public in the shape of fees, for *taking care* of these Records, which surely does not mean merely to look at them.

Notwithstanding the heavy expenses which have attended these volumes, the price at which they are sold to the public, with whose money they have been produced, renders it impossible for any but an affluent person to possess them, as the sum demanded for a copy of the whole set is about *one hundred and sixty pounds*, no trifling item out of the amount which those who most frequently use these works, can afford to bestow on books. It is true that they are presented to the Museum, and other public libraries; but who is there, that is accustomed to research, that does not feel the great annoyance of having to pause in his labours to note down points for reference, the next day, when on one of them, perhaps a name or a date, though trifling in itself, may depend the whole of his argument?

It is remarkable that, though the Record Commission has existed for thirty years, no attempt has been made to print the *Calendars to the Wills in Doctors' Commons*, the whole of which might be contained in three volumes, though their utility to the public at large, of all classes and for all possible purposes, literary and otherwise, would be at least ten times greater than any volume which has been published. The abuses in that office are no less notorious than in all others; and the opportunity may be given on a future occasion for exposing them; but this article has nearly reached its bounds, and it will be concluded with some remarks on the manner in which

commissions for literary and scientific projects are constituted in England, since it affords a full explanation of the ignorance, and the negligence which they uniformly betray; of the abuses which consume their resources; and of the causes of the management of them being intrusted to such persons as, for a series of years, have been allowed to waste the public money in the manner we have described. Whenever a commission of this description is determined on, instead of confiding its execution to individuals, whose zeal and ability have been manifested on other occasions, the Crown has selected persons holding high offices, or of elevated rank, so that the very grounds upon which they are chosen, are ample evidence of their unfitness for their situations, because the duties of their other offices are sufficient to occupy all their time, even supposing that their previous pursuits had qualified them to determine the value of one species of record above another, or the manner in which it should be printed. It is one of the peculiarities of England, to attribute to a minister, a peer, a bishop, or a judge, the attributes of omniscience, and to consider that a good statesman, a learned prelate, an ancient peer, or a respectable lawyer, must be better acquainted with English history and the documents which are most useful to illustrate it, than those who have exclusively devoted themselves to the subject. We thus find, that in both the commissions to which we have adverted, excepting sir James Mackintosh, not a single literary man, by which we mean one who has written on any part of history, is to be found, but that the commissioners are the Secretaries of State, and of the Admiralty, five or six Privy Councillors, and as many Peers. Will any one, possessed of common sense, believe that either of these personages will himself examine piles of musty parchment; that he will pass any part of his time, which ought to be devoted to more important duties, in a cold and cheerless Record office; that he is aware of what is most important to select for publication; or that he is a proper judge of the manner in which the works are edited? The consequence is therefore inevitable, that they must be guided, if not governed, by some inferior person styled a Secretary, who, in the instance of the Record-commission, is one of the editors, who is thus in effect both master and servant, and who, we hope in consequence of his extraordinary merits, unites in his own person the offices of Keeper of the Chapter House, Keeper of the Augmentation-office, Secretary to the Record-commission, and Co-editor of some of its publications!. If the duties of either of those stations were fulfilled as they ought to be, it would preclude the possibility of his holding any other, so that three out

of the four, for each of which he is paid by the country, must be a complete sinecure. The same remark applies to the commission for printing MSS. in the State-paper office, which has not yet sent a single line to press, though with common talent, and the slightest energy, several volumes ought by this time to have been printed.

The presumed editor of the works which are to appear, is the deputy keeper who is also Secretary to the commission, and who certainly possesses the negative qualification for the task insisted upon, on another occasion, that of being wholly guiltless of having ever written a single line on English history, or indeed on any other subject. To such hands, however, are duties intrusted which require a profound knowledge of history; and we confidently anticipate that the same waste of public money, and the same system which has disgraced the Record-commission will be the character of the commission for the publication of the MSS. in the State-paper office, unless the present premier causes measures to be taken to prevent it.

It is probable we have not alluded to half the obstacles to research in the Record-offices which ought to be swept away, for the system of exclusion renders it impossible to penetrate into the arcana of the various depositories; so that those only who belong to them, or those who have had occasion to make inquiries of various kinds, are aware of all the practices by which the community suffer, and historical literature is impeded. The former have a direct interest in concealing what tends to their pecuniary advantage, or the advantage of their principals; and the applicants, though feelingly alive to the abuses in question, have one, or all, of the following motives for not assisting in their removal by exposing them. They are, perhaps, personally known to the parties, and are unwilling to offend them; the fees they have to pay, generally come out of the pockets of their clients, instead of their own, since very few indeed can incur such charges, excepting for legal purposes; or they are prevented by the conviction, which we know operates upon many persons, that, if they displease these gentlemen, their inquiries may be obstructed in a manner extremely detrimental to their professional business, as from the state of the indexes, or rather the want of them, an intimate acquaintance with each office is necessary, to know what records exist on any particular subject. In other words, the system is so bad, that it is in the power of the various keepers, either to promote or retard researches at their pleasure, even when the fees are paid, whilst such is the absolute property they possess in the Records, that without paying their fees, they may exclude every

man in the country from even seeing any public instrument in their custody.

It can hardly be doubted that this system will, ere long, be entirely changed, and the remedies we suggest are—

First; The immediate abolition of the present Record-commission.

Secondly; To concentrate the various depositories in one building, in a central position in the metropolis.

Thirdly; To allow *gratuitous access with full permission to copy any Record* in either of them, under the superintendence of one officer of the establishment, in the manner which has been explained, so as not only to permit, but to afford every facility and encouragement to research.

Fourthly; To appoint the necessary number of persons with moderate salaries, to arrange and index the masses of documents, which, notwithstanding the sums expended by the Record-commission, are now perishing for want of common care, and of the contents of which not a creature living has the remotest idea.

Fifthly; To cause those persons, and all those now employed in Record-offices, to be really what they profess, *Clerks*; to exact from them rigorous attention to their duty, for at least eight hours a day, instead of five, as at the Tower, and three as at the Chapter House; not to permit them to be sub-commissioners as at present, or indeed any thing else; and to pay them liberally, though not exorbitantly.

Lastly; To nominate three responsible persons as Commissioners to see these objects carried into execution, not by reports from secretaries or other inferior persons, but personally and daily to attend at the offices, so that any incivility on the part of the clerks, any unwillingness to produce a Record when asked for, or any attempt to throw impediments in the way of an inquiry, might be instantly checked. The presence of the commissioners would insure the attendance and exertion of the keepers, and render the various establishments what they ought to be. It should also be the duty of the commissioners to superintend the publication of Calendars and Records, to choose fit persons to edit them, and to put an end to the system which has existed for upwards of thirty years.

We are convinced that, if each of the three commissioners were properly selected and remunerated, all the objects for which we have contended might be attained, and the same, if not a greater, number of works might be edited in a proper manner, without one shilling *additional* expense to the country, beyond the cost of the present Record-commission.

Nothing which we have said will, we hope, be deemed to mean, that parliament should not continue the same allowance for the preservation and publication of Records as heretofore. Abuses in the application of money given for a laudable object, afford no grounds for abandoning the object itself. All that is wished is, that that money should be as properly applied, and rendered as productive as possible; that that which is notoriously *public property* should be made available *to the public*; and that the interests of five or six persons, and the number is not greater, some of whom have revelled in these abuses for half a century, may no longer be suffered to lock up from the whole community those materials for its history, those evidences of the descent of property, and those illustrations of the manners and customs of our forefathers, which ought upon every principle of justice and expediency, to be as accessible as any manuscript in the British Museum. Let this be done, and let the government, like that of the Netherlands and of other countries, encourage historical researches by its patronage, and in a very short time, light will be thrown upon English history, which it would be now rashness to anticipate; and the effect of which will be to convince us how little we knew on the subject. But this is not the only, nor perhaps the most material point which would be attained. Every claim which depends upon Records would be prosecuted at one tenth the expense; for, at this moment, the costs of prosecuting a cause where Records must be produced, are tremendous, and from the fees on searches it is scarcely possible to ascertain what evidence exists, so that it, no doubt, has often happened, that a plaintiff has been defeated for want of that evidence which is allowed to be a prey to worms and spiders, simply because it cannot be discovered in consequence of the tax which is demanded for exploring the contents of offices of *Public Record*!

ART. VIII.—*The Cause of Dry Rot Discovered; with a Description of a Patent Invention for Preserving Decked Vessels from Dry Rot, and Goods on board from damage by Heat.* By John George, Esq., Barrister at Law. London. Longman and Co. 1829. pp. 186, and plates.

IT is very difficult to trace the etymology of the word Quack, but he is a naughty calumniator, and ought to be condemned to "eternal redemption," who limits it to the doctoring tribe, to the men of lozenges and elixirs, and drops and pills, who cure patients they never saw, and diseases they never will see,

by medicines which they do not administer, and of whose nature they know nothing.' These people are vile Nominalists: Quackery is a problem in Universals. Despotism and military government are bad things, for example; yet it is but a quackish proceeding to cure this, as they do in Turkey and Algiers, by cutting off the head of the patient. If Dr. Eady heals all diseases "pulveris exigui jactu," he is not a much better or wiser quack, who cures all bad morality by tying a halter round a man's neck, and suspending him, "per col.," to a piece of timber. And where is the vast difference between the doctor What-d'ye-call'-em, who comes to the said gentleman on the point of suspension, to inform him that he is "justified and sanctified," and that other doctor, hight Solomon, who not only tells *his* patient that "there is Balm in Gilead," but sells him as much in a guinea bottle as would be contained in three half-guinea ones. One quack-salver salves all fractured banks and houses, with a free trade, or a corn trade, or a silk trade, or a new bandage made of muslin and calico: another, by putting on a tax, or by taking it off; a third and fourth by reducing twenty busy clerks, and giving their salaries to the idle principal; a fifth by means of the locust tree; some by a bolus of gold, and others by a plaster of hieroglyphical paper: while a deficiency of pigs and potatoes and peat bogs is just about to be remedied by coquetting with an ancient Italian heteroclitite sort of personage descended from an old woman called Pope Joan. And so forth.

Thus, too, have we cured, do we cure, and shall we cure, the Dry Rot: that eating canker in the constitution of Old England, which is fast rendering her ships as rotten as her boroughs, "undermining Albion's happy isle, and our gracious sovereign George the Fourth," insomuch, "that the discovery of the longitude by captain Kater is quite useless, because what is the use of the longitude to ships, when there are no ships to navigate." Very true, very sad; therefore "England expects every man to do his duty," and produce his nostrum; and, "Rule Britannia, Britannia rules the waves!" *Ευρηκα*. Therefore Mr. BurrIDGE the Tanner, Mr. Lieut. Hawkins, R.N., Mr. Ambrose, Mr. Nicholls, Mr. Bowden, with four-and-twenty dozen more, all of a row, have cured the dry rot, which is not cured, and it is now to be cured, Perbacco! there is not the least doubt about it, by John George, esq., barrister at law.

Alas! there is many a rotten timber in the orlop deck of the Chancery Court, and the crow's nest before the bar, and in the round-house at the Cock-pit, and the futtock shrouds of the Exchequer, and among the bulk heads of the Six Clerks office,

and in every part of the whole "Shippe" of rogues, on which the philosophy of John George, esq., barrister-at-law, might be much more usefully employed. Yes, this is the bilge-water, and the stink, and the canker, and the rot, and the eating fungus, to which he should apply his tubes, and his valves, and his brooms, and his pumps to pump all dry; but unluckily the pumps serve only now to pump dry all who venture to set foot in that Shippe, and the Brougham that was to have swept, sweeps hot, or sweeps in vain, or perchance rejoices in the dust he makes.

But since Mr. John George will have it so, we must even submit to read his book; and, barrister though he be, we must also try him at our bar, since he has pleaded guilty of a book and a patent also. Imprimis, of the patent first. No common patience can read it, and when it is read, it is impossible to understand it; which is professional, and of course a great blessing. It is a fine thing to be a lawyer, and a much finer thing to be a conveyancer. We cannot swear that this patent was drawn by a conveyancer; but if it was not, let the tribe, come and see; learn, ye learned, to convey so many fewer ideas in so many more words, than ever ye did before, that we may hope in time to pay for half-a-hundred skins in which there shall be no ideas at all, which will be all the better for you. Convey! Omniscience only knows how an estate ever is conveyed at all; but he will be a great conveyancer indeed who shall ever convey Mr. John George's pumps, valves, tubes, thermometers, "*cum messuagiis, toftis, croftis et aliis pertinentibus*," down and about, and out and throughout, and upwards, and inwards, and downwards, and backwards and forwards, and hindwards, and in and out and roundabout, horizontally, vertically, obliquely, diagonally, laterally, longitudinally, circularly, according to the laws made and provided, and so forth, in said conveyance or patent, or letters patent, as specified and so forth, into the hulk, hull, body, hold, first deck, second deck, orlop, poop, bread-room, gun-room, magazine, well, cable-tier, cock-pit, sail-room, purser's store, and so forth, of any ship of the line, frigate, bark, brig, cutter, sloop, schooner, pink, bilander, barge, hoy, and so forth, that ever carried Britain's coals, or Britain's thunder, across the briny wave. Phi! phi! Mr. John George, "*Ubi sunt clerici mei?*"

It has been said that great lawyers have had but indifferent success in drawing their own wills. Let the next conveyancer take warning, and get another man to convey his patent meanings. However, he may console himself—it will not be in-

fringed. If there is no very violent patriotism in preserving Britain's best bulwarks by patent, so will there be no fear of profit, except to the Attorney-general, the stamps, the parchment-maker, the engrosser, and the rest, who we will venture to pronounce, will engross all the profit that will ever flow out of this patent. It is a strange disease in England, the said patentizing. More of this some other day; but at present we must proceed downwards to the coal-cellar; for, out of the cellar of the barrister in Chancery-lane, arose the ghost of the Dry-rot; diffusing itself over so many pages of paper, and skins of parchment.

We really should be sorry to offend a worthy man, or any man, the pledge of whose self-conviction, at least, is the great expense of a patent so long and so illustrated, and of a book so unsaleable; but even to him our remarks would prove friendly, if they served to prevent him from embarking further on this abyss; for an inventor of this nature rarely stops at the first project, and more generally, as in gambling, it becomes a perpetual double or quits, often proceeding to absolute ruin. And, in the strictest sense of the term, this is a project, not merely founded on nothing, but on worse than nothing—on a want of acquaintance with the facts, the evil itself, and a much more unhappy ignorance of those chemical or philosophical laws on which the very invention or proposal is founded. We must make short work of a long book, as wordy and empty as the patent itself, and not consisting, moreover, of remarkably good English; while, in truth, the whole theory, facts and all, which are *The Book*, might have been contained in half a dozen pages.

The theory of *Dry Rot*, as here given, is briefly, then, this. If one side of a piece of wood (the author's cellar door was the germ of the whole) is exposed to a higher temperature than the other, the heat passes through it, from the warmer to the colder side, and this transmission is the cause of the dry rot; by, by, in short, by decomposing the wood. This is *The Book*, as far as the cause is concerned; and the cure would be philosophical or logical enough if the cause was rightly assigned, for it consists in preserving an equal temperature on the two sides of a plank, or in all parts of any piece of wood. This is simple enough, as we have stated it; the reader of *The Book* will not find the conveyance of ideas made quite so easily; and least easy of all will he find the means of conveyancing the remedy, if he seeks for it in the patent. But the plates are good, and, in reality, sufficient without all the wordage. Pictures, however, are not sufficient *laws* now-a-days, whatever

they might have been in Egypt and Peru, and therefore the sense of the nonsense is this :—A ship (for this is a law treatise on Bottomry) is to be filled up with tubes, pumps, furnaces, valves, and so forth, inside especially, so disposed that it shall be possible to force air, cooled from without, or heated by the furnaces from within, in such a manner as to preserve an equal temperature in all the parts of the timber every where, while, by means of thermometers duly placed, the real temperatures can be ascertained and regulated.

This sounds simple, sensible, and plain. The answers are unhappily too easy. The cause is not the cause; nobody would or could apply the remedy, whether from expense or inconvenience; if it were applied, it would not, and could not equalize the temperatures; and if it did, the disease would not be prevented or cured, because the assigned cause is not the cause. Enough—except to beg the author's pardon.

Though this disease of timber has been a fruitful point of attraction for quacks and patentees, it is not worth while to go through their weary history, and still less to point out the egregious ignorance of nine-tenths of those who have written on it, even where such ignorance was really disgraceful; which it cannot be in a person of the far other studies and habits now before us. Theories, facts, remedies, the whole consisting of guess-work or ignorance, the object very often to gain money, yet, sometimes fame, occasionally promotion. Sensible men have however interfered also, and they have done good; but how can sensible men do good, when those whom they would influence are without sense? and to what purpose is science, or even demonstration, to those who are deficient in the one and incapable of comprehending the other? Alas! science does not spring out of the rottenness of a borough, as fungi spring from rotten wood.

More than half of these writers, and the people generally, especially in the case of houses, confound the common decomposition of wood, through moisture, with that entirely distinct kind of decomposition which is, properly, the Dry Rot. Our author has, naturally enough, done the same. Let us define, that we at least may be understood.

If timber be kept uniformly dry and exposed to free air, it is a very durable substance, though that durability varies exceedingly in different kinds of wood. The gothic roof of the cave of Carli, in Teak, is as sound as on the day it was first set up; so are many coffins of Egyptian mummies, so is the roof of Westminster Hall, though of no comparative antiquity, and so was the roof of Eltham Hall, which a barbarian vote last year

destined to demolition, to prove our respect for antiquity and arts. It is not less true that if timber is buried in wet earth, or kept perpetually wet and excluded from air, it displays the same durability; though here, also, some kinds possess a greater power of resistance than others. The piles of the celebrated bridge across the Danube are but ancient examples to which hundreds more might be added. This property is in fact the very basis of all subaqueous architecture.

But, if any timber be so placed that it is alternately wetted and dried, or exposed to air and to moisture, it decays, or becomes decomposed, rotten, as is very especially familiar at that part of a post which meets the ground, or that point of a pile which lies between high and low water marks. And this is a law of Nature, established for a purpose—a final cause. It is the ordinary method she adopts for getting rid of those fallen trees which would encumber the ground and impede vegetation; while, through this law, they are disposed of and converted into manure. All her plans are wise, and all have a good end in view; we shall presently see this purpose acted on more widely in the very case properly before us.

But this is rottenness—decay: it is not the Dry Rot. It may occasionally, and often does give rise to fungi; whence the errors of even those who have professed to study this disease, and who have written quartos on it; while the uninstructed confuse every thing. Both diseases may take place at once in the same piece of wood, and in the same place, unquestionably; but it is the ignorant man who confounds them, even then, as he confounds diseases and their causes in the human body: the physician and the philosopher distinguish; and if there be a cure to be found, it is he who will find it, and he alone; because it is he only who knows what he is doing. And this is the most common disease of houses; occurring in the bond timbers, the ends of joists; in roofs ill secured, and in ground-floors, in all of which cases, there is or may be exposure to alternate moisture and dryness, aided, doubtless, by changes of temperature also. Hence also it occurs in ships, as it obviously ought, under the same circumstances; and here especially has it produced that confusion of ideas which we meet in almost every book on this subject, with those misapplied and empirical remedies to which we have already alluded.

This, chiefly, is the disease which has been prevented by Mr. Pering's roofs; as it was that which destroyed the keel and lower timbers of the *Ocean* in Woolwich yard, on the slips, and as it had and has destroyed much more, is often referred to by official writers. It ought never to be mistaken for the other,

because it is not only essentially different, but because the source, the cause, is always visible, and because the very procedure is different. There must be external moisture; and the disease begins on the outside of the wood, proceeding inwards, producing fungi or not, according as seeds may be present, but more often perhaps (since these are not often wanting, at least in the atmosphere) as the gases, produced by the decomposition, are confined about the timber, or as that is exposed to them. Hence the common fact of fungi produced where the air of drains gets access to a floor or a joist; and hence also the action of bilge water in ships, and of certain cargoes, such as pepper, coffee, and so on, acting partly by heat, but partly also by generating that gas which contains at least hydrocarbonate, with somewhat more, which chemistry has not yet discovered. That this gas is favourable to the germination of the seeds of certain fungi, there is no doubt: we believe that it has even somewhat more to do with the fertility of a mushroom-bed than has been suspected, and that many of the usual failures in this process arise from ignorance of its value, and suffering it to be dissipated.

So much for what has been called the Wet Rot, or the common decomposition of timber. Of the Dry Rot we consider the following to be the just view:

Nature has established laws for destroying timber; and this is a universal principle pervading all bodies, the in-organized as well as the organized, while its utility, or rather necessity, is apparent in every case; since the circle of life in organized matter is dependent on death, or rather since they are two parts of one circle; while in the inorganic materials of the earth, there is an equally necessary circle, though of a different nature, of which destruction is also an essential portion. And in timber, for the sake of aiding the common effects of air and water, various plants have been created; among which the fungi, or at least a vast body of fungi, form an essential portion. This is their appointed office; and the performance of that duty, the very rapidity and power with which it is executed, is perhaps best seen in the fallen trees of a tropical forest. In a wonderfully short time, the hardest tree has vanished, and becomes the seat of a new offspring, of other and perhaps better vegetation; and this was the final cause.

Nature has thus provided, externally, for the destruction of timber, through vegetation, as she has provided similarly the myriads of insect larvæ that are to resolve animal bodies and substances into another portion of the great circle of life. And it is probably from external seeds, even in the

atmosphere, that the fungi of the common rot or decay proceed; but, as yet, chemistry has had no success in explaining how the attachment of a fungus, be it mould, mueur, tremella, sphæria, boletus, or what not, does decompose the solid wood with which it is in contact. It may do somewhat by merely retaining moisture on the surface; it is more likely that it acts by means of its own circulation of moisture, or essential juices, which, varying with the condition of the atmosphere, and its own vigour or periods, may produce corresponding changes in the wood to which it is attached. Or there may be somewhat more of proper chemical action here engaged, by the production of peculiar gases; since these plants do contain ammonia, and also give out some very, as yet, unintelligible gaseous compounds.

This however is but a part of Nature's provision for this great end, the necessary destruction of wood; her universal purpose, though she, as usual, leaves enough in the power of man to enable him to counteract it, for his own especial wants. In whatever way the seeds of these destroyers do find their way into the body of the tree, there, certainly, they do exist, ready to perform their great office of destruction whenever the favourable circumstances are present. It will be no solution of this difficulty now-a-days to revive the doctrine of equivocal generation; nor, in truth, is the difficulty greater than that which continues to beset the existence of animals within the close cavities of an animal body.

From these seeds the fungi of the proper Dry Rot proceed; and, as far as fungi alone are the cause of the rotting of wood, it is here that we must seek them. The difference between the procedures in this case and the former is complete. The Dry Rot commences within the wood, and proceeds outwards; we have seen that the common decay holds the reverse course. The very roots of the plants, and their exact proceedings, can be traced by a careful observer; and had observers been more careful, though they had not even been philosophers, this really simple question might have been analysed long ago: to the great saving of much bad writing at least, and possibly to the saving of much money, if not to the discovery of effectual remedies. If these are not yet discovered, a true knowledge of the cause and the facts is at least the only road.

Now, the first important result, as to practice at least, is this. If the seeds exist, and the circumstances are favourable, the application of external and vacillating moisture is not necessary to call this species of decay into action. Therefore, reversely, the prevention of such moisture alone does not prevent

it : and hence the failure of a vast mass of remedies, or rather of contrivances and expense. And these were and are the consequence of confounding together two things, we might almost say two chemical processes, essentially distinct; and even two botanical processes, it might be asserted, when vegetables occur in both, as does happen.

Another important practical result arising from the same view is the following. The seeds of the future fungi, we must presume, have been lodged by nature in the circulating vessels of the wood, as it seems that they must have been introduced, in the parallel case, into the blood vessels of animals. Hence we should expect to find them in the really active and in the most recent vessels, or in the external ones; while it is practically true that this disease appears first, and often only, in what is called the *sap* wood of the tree. We know indeed that the preservation and dormancy of life in seeds is most extensive, and as yet we do not know a limit; but we may still fairly suppose that there would be less probability of a seed remaining in the interior of a tree than in the exterior, if, in certain vessels, if not in all, the circulation has ceased, when the alburnum has become heart wood. We can also suppose, that, in this alburnum a greater facility for vegetation would exist; partly perhaps from the presence of more moisture, and partly from the proximity of air, so necessary to the germination of all seeds: and the experience confirms all this to be true.

Hence then the rejection of the sap wood becomes one of the great preventives of the Dry Rot; and, for a similar reason, young wood in general ought to be rejected: while we equally see that the exclusion of external moisture can have little effect in preventing this particular disease, unless such moisture should gain access to the interior of a piece of sap wood that had been previously dried, and within such a period and such circumstances, as to restore or excite the vegetating powers of seeds not yet dead. Yet this must sometimes happen; and some of the failures of the most rational expedients, founded on even this just theory, have most probably arisen from this very cause.

If the disease is thus internal, and assuming that a piece of wood actually does contain the seeds of the fungi, it remains to ask what are the circumstances that excite the Dry Rot, or bring them into a state of vegetation. These have not been cleared up; but we do not perceive that any other cause than heat or elevated temperature has been assigned. That it does so act, is unquestionable; and, it is, very probably, the great, if not the sole exciting cause in ships, and especially under the

circumstance of heating cargoes. Here, therefore, it is plain that cooling or ventilation would be a preventive. But, we have just suggested that moisture has also a mischievous action by gaining access to the internal seeds; yet suggesting only what we have no exact means of proving in so complicated a case, and on which every report is for ever complicated, because rendered unintelligible from the confounding of two distinct diseases.

It is possible, though, for the same reasons, not distinctly to be proved, that the presence of hydrocarbonate, or of the compound gas, does accelerate this vegetation, as well as the purely external, or externally arriving one, so as to increase the depredations of the Dry Rot, as well as of the common decay. And our *priori* reasons are these. These plants do unquestionably thrive best in such air, or are favoured by its presence: and in proportion as a plant, though produced from internal seeds, becomes vigorous, it sends its roots deeper, destroys more wood, and also gives access to air and moisture to call into action those seeds which were more deeply seated, and which thus also meet a better soil and a favourable atmosphere. This *priori* reasoning is confirmed by the fact, that ventilation and exposure do stop the progress of the internal or real Dry Rot, first operating on the existing plants so as to kill them.

Now we believe, that there is nothing more of sound philosophy or ascertained fact to be said on this subject, though it might have been said in more detail: and this is the summary: Wood is decomposed by exposure to alternations of moisture and dryness. In these cases, it rots from the surface inwards, and in these it may produce plants, or not: while if it does produce them, it will rot so much the faster. They have the power of spreading; and thus by retaining moisture, sending their roots perhaps into the wood, and producing a peculiar gas, they propagate the decay further: but this is still a decay from the surface inwards. And this (which is an important distinction) may happen to the best-seasoned, the oldest, the most perfect timber. Thus also may timber be inoculated with this disease, as it is vulgarly called: and yet it will not spread, except under the favourable circumstances already mentioned. Still, this is not the Dry Rot; nor does the presence of fungus merely constitute this disease.

We said that the two may exist together: but if the Dry Rot is alone, it commences in the interior of the timber (not necessarily in the heart) and advances outwardly, producing fungus, essential to its very existence, because it depends upon the growth of internal seeds. From whatever depth it begins,

reaching outwards, it gives access to the vegetating causes to attain an interior stratum of the wood, and thus the disease proceeds: proceeding in such cases, inwards and outwards at the same time, yet in the order, and upon the principles now mentioned. It might, of course, commence even in the innermost part of certain ill-conditioned wood.

Such is our summary; and we may now terminate by a few remarks on the remedies.

To prevent the common decay, whether in houses or ships, the general means ought to be plain, because the cause is now plain; whatever practical difficulties may occur in the application of the preventive remedies. And the remedies are properly but preventive ones: as a disease, it is not curable. The object is, generally, to prevent the alternation of moisture and dryness. In houses, the needful means are as endless as the positions of the timber: to give special rules is impossible: but an intelligent architect, an architect, who is mason, carpenter, chemist, and—philosopher, if there be such a one existing, who knows how to apply general rules, can never be at a loss. Had there been more such architects, masons, or carpenters, there would have been little comparatively to complain of as to this decay. To suppose that it is to be prevented by this, that, or the other timber, by chesnut, oak, larch, seasoning, or what not, is ignorance, and the ignorance is rewarded accordingly; but unluckily it is the proprietor who suffers, while the builder gains. It is a gainful disease; and neither in carpentry nor physic, is it very usual to prevent, at least this class of disorders.

But supposing the fungus is formed, and spreads? it is then that the empyrics walk in with their nostrums. Vitriol, oil, alum, salt, and so forth, while the procession closes with sir H. Davy, and corrosive sublimate: a *cheap* remedy at least. It is, however, true, that the fungus will not spread on wood thus impregnated, with no matter what, while many applications kill it. Out of the whole of these, nothing is so cheap and effectual, as oil of turpentine: it is death to all fungi, as to insects; while its smell endures, but no longer. Take the cheapest, and remove the fungus, or prevent its spreading, by all means; yet prevent the access and presence also of that gas which is favourable to its growth, by ventilation. Still, when all this is done, the decay *must* go on, if the original cause continues, alternate moisture and dryness: and thus do the nostrums fail, and ever will fail.

Thus for houses; but for ships, it is equally impossible to give details, since the circumstances are fully as complicated. Mr. Perring has removed one great cause, during the building, by his

roofs : it is not for the shipwright, nor the captain nor his mate, —for whom then on board a ship of war? nobody?—to become the doctor, the curator, the philosopher, or what not, which a sensible architect is to a house. It is not the boatswain's duty, nor the master's, nor even the carpenter's : the captain seldom knows any thing about a ship, except, that it is a battery manned with stout and brave fellows ; and it is not a great matter of wonder, if petty details like this are not minded, when there is no one to mind, and no one to be responsible. Make a new warrant-officer, and call him *Rot Doctor* : but that would cost too much money in these times of saving pence, to destroy millions.

One word, however, as to the within. Expose the doubtful part to air, always, or cover it with water always, when either can be done. Act as in a house ; and prevent, not water, but moisture rather, settling, and drying, on mast-heads, in bolt-holes, and all internal junctures, for this can be done by varnishes, oils, tars, metal plates, and much more. Why is not more care taken in removing the fungus, and preventing its renewal and spreading ? There is no nostrum that will do every thing. All depends on a multiplicity of minute and various attentions, to be founded on a principle : and this is never done.

What might be effected in the building of the ship, we need not say, by securing the ends of planks, and timbers, and beams from water, because considerable attention has recently been paid to all this. At least so it is reported. But if ships were duly ventilated, and duly washed, a most material diminution of this evil, the common Decay, and also, we believe, of the Dry Rot, would be the result, independently of many other advantages. In many large merchant-ships, in all destined to certain kinds of cargo, and in every ship of war, there is an utter neglect both of ventilation and washing. Exceptions there are ; but we speak advisedly as to the mass. Yes ; the decks are sand-stoned and polished to the hue of a table-cloth, perhaps every day : the beauty and the cleanliness of a ship of war is dazzling and imposing, wherever it can be seen ; and there is not a coasting sloop where the legs of an unhappy passenger are not assaulted every morning by the water buckets. But they whiten the outside of the sepulchre, and the inside is full of all manner of uncleanness. The washing of a ship, is that of him or her who is content through life, to have a clean face and hands ; and the ventilation is no better. It is not one jot better in a ship of war, though it is more apparent, because there is a larger space exposed and inhabited ; and it is thought enough if this be clean and airy, while below, lies a pestilential gulf like that in John Bunyan ; out of sight,

but not out of action. It is out of this gulf of death, as a recent medical author has lately showed, that the fevers of ships arise, and it is the air of this gulf that is the great promoter of the Rot, whether it be wet or dry. This air favours the growth of the fungus, and no one needs be told, that wood sooner rots in putrid than in clean water. Putrid air and putrid water: such is the hold of a ship: and since it is true that, in houses, the decay of timber takes place, first and chiefly, not only in and near drains, but even in the most remote points, to the very roof itself, wherever a pipe or opening leads to or from a drain, the fact of the influence of this cause cannot be disputed. If it has not the same effect in a ship, it would be a miracle, wrought in favour of neglect and ignorance. But the very fact is proved, in the very securest way, practically, in ships: and both as it relates to the fact of ventilation and washing. Coal and lime ships are remarked to suffer less from decay (Dry Rot as it is always called) than any others, or not to suffer at all. It is because their short voyages, and because their cargoes, completely and frequently cleared out, ensure a complete ventilation, at least one far more frequent than in vessels of other cargoes and long voyages. It is no less proved in practice, that a new or a tight ship is more quickly rotted than a leaky or an old one; and a heavy leak will often put a stop to the disease. This has been attributed to the laying of the affected parts under water; but that is only part of the cause, and is not the most important one. The act of pumping against a leak produces both ventilation and washing; and these are the true and important remedies. Theory, analogy, common terrestrial experience, and actual practice, all prove the value of this great remedy; and yet it is the only one that has never been put into practice: perhaps because it is not a nostrum.

It is not for us to say how a ship can or may be ventilated down to her very Well; and we need not, for there is no want of plans for this at least, and somewhat better ones too than that in the patent before us; plans never executed, as the thing is never done. But we should be pleased to know why a ship cannot have her hold washed every day, as well as her decks, and, very especially, what is the merit of bilge water and bad air, even to the crew and the cargo, far more to the ship's timbers. We are perfectly convinced, from the reasonings of the physician to whom we alluded, Dr. Mac Culloch, that this bilge water and this bad air are the cause, and the main cause, of the fevers of ships; and by a residence in a great sea-port, we have obtained a store of facts, absolute, demonstrated facts, on this subject, with which we could have filled another such volume as his.

We have seen a mortal fever break out in a crew in half a day, from the ripping up a piece of sheathing where some carpenter's chips had been casually left, and had run into decomposition; while not a man of those who were present at the opening of it escaped death. The value of the new policy (Seppings's), which fills the intervals of the timbers with fragments of wood, will soon be discovered. The heating of cargoes, the frequent cause of great loss, and even of fire, might be prevented in the same manner; for washing implies both ventilation and cooling. To say that this would make a ship damp below, is, simply, nonsense; unless clean and cool seawater could produce more vapour than hot and putrifying bilge water. It is more likely to diminish that moisture. And we repeat our firm belief, that, if it were made a standing rule in every ship, to wash the hold thoroughly every day, by means of the plug, not only would the crew and cargo be preserved, but it would prove one of the most efficacious remedies in the prevention of rot or decay, that has ever yet been proposed.

This may be extended to the real or true Dry Rot, though, possibly, the efficacy of the action here would not be quite so great. If it originates within the timber, its action is accelerated by external causes, and by the same that produce common decay; and if a high temperature is that chief cause which it has been supposed, then washing and ventilation are precisely the means by which this may be reduced or kept in check.

There remains little to say respecting the remedies or preventives for this latter disease, the true Dry Rot; it has been very much and very fruitlessly discussed, and it would be idle to wade through all the squabbling and bad writing, and official Reports and Committees of the House of Commons, and all else, "*usque ad nauseam*." Tanners and naval commissioners, leather and bark, timber merchants, and captains, and carpenters and contractors, injecting projectors, or projecting injectors, to say nothing of the Quarterly Review and the Woods and Forests—what is the result?

It is utterly impossible to extract sense, far less truth, from all these conflicting statements on summer-felled timber and winter-felled timber, and barking and ringing, and heaven knows what more, backed on all sides by authorities, extending from Pliny down to Buonaparte, and by orders and regulations in perpetual contradiction. We have no right to judge among these men.

It seems perfectly indifferent whether wood is felled in winter .

or spring, if the sap wood is not used, and it is perfectly dried before using. This rejection excludes that portion of the wood which is most likely to contain the seeds of fungi; and the act of drying seems to kill them. Soaking in water (fresh water) seems also to have the same effect, and very particularly as to fir wood, to be followed, of course, by thorough drying. And in the act of drying, the occasional or casual access of moisture seems to prevent the good effect that would otherwise take place, possibly by entertaining that state in the seeds which is necessary to their future vegetation. Therefore all timber ought to be dried under complete cover from wet, and, among other things, no part ought to touch the ground. And further, it does appear that it dries best when placed in a high position, or towards the vertical; and that if all these precautions are duly taken, a builder, whether of ships or houses, has done all that he can, as far as previous precautions go, in preventing the future generation of this disease; though he who is to possess the house or the ship has a daily task before him, to prevent or check the action of the occasional or exciting causes, and to impede the progress when either Dry Rot or Decay has made its appearance.

ART. IX.—*The Misfortunes of Elphin*. By the Author of “*Headlong Hall*.” Hookham. 1829.

LIKE its predecessor, “*Headlong Hall*,” the “*Misfortunes of Elphin*” is a very indescribable production. Absolutely speaking, it is neither romance nor satire, although apparently professing to be the one, and being really deeply imbued with the spirit of the other. Its principal claim to attention, however, is founded on the display of a very peculiar vein of humour, exhibitivè of the gambols of a strong intellect, in a field obviously uncongenial with its most distinguishing character. Great logical aptitude seldom appears to advantage in a dalliance with fancy; nor is a style superabundantly redolent of Greek and Latin, the most favourable to a happy conveyance of the images in which the imagination chiefly delights. Regarded simply as a tale, the “*Misfortunes of Elphin*,” therefore, lacks lightness, grace, and invention; and, although not deficient in descriptive power, it is displayed with more eloquence than pictorial felicity. But enough of introductory generalities, difficult as it may be, an attempt to convey a more particular notion of the sportive nondescript, must now be adventured.

Ostensibly this singular *jeu d'esprit* is an ancient British

story, founded principally on Welsh bardic traditions, and the romance which is associated with the veracious history of the ever memorable king Arthur. In point of fact, however, as a narrative, it has neither romantic, nor any other species of verisimilitude, beyond what may be implied by the adoption of a few names and notions, from a peculiar kind of lore, in order to form a vent for the author's love of caustic gibe, and very singular spirit of joking. The book opens, for instance, with an account of the mighty kingdom of Caradigion, in the sixth century, when Uther Pendragon held nominal paramount sway in Britain. The most valuable portion of this powerful state consisted of the Great Plain of Gwaelod, a tract of level land, stretching along that part of the coast, which now borders Merioneth and Cardigan; to preserve which lowland country from the encroachments of the sea, a great embankment of massy stone had been erected. At this time the throne of Caradigion was occupied by Gwythno, an honest chieftain, who loved eating, drinking, and minstrelsy, being himself a bard of no despicable pretensions. All these things are very well, but not quite so serviceable as a talent for good government; for in consequence of the accomplished king's supineness, and the flagrant neglect of the High Court of Commission, intrusted with the care of the Grand Embankment, the sea breaks it down, and overflows the finest portion of his dominions. Elphin, the nominal hero of the tale, is the son and heir of Gwythno, who succeeds to the remnant of his ruined kingdom, the chief revenue of which being supplied by a plentiful Trout stream, the royal mind is thenceforward mainly occupied with the catching of fish, which becomes almost the sole article of food in the Caradigion dominions. It is the good fortune of this redoubtable sovereign, to rescue from the river aforesaid, the infant Taliesin, who by some magical slight of hand, has been launched thereon, in a small boat, which gets entangled in a weir of the kingly fish-catcher. Not content with saving the child's life, the humane Elphin brings him up with his own daughter, the princess Melanghel, with whom the illustrious future bard becomes profoundly enamoured. The remainder of the story is made up of the capture of Elphin by a perfidious chieftain of greater power than himself; and of his release, by the genius and address of Taliesin, through the instrumentality of king Arthur, the tale concluding with the union of Taliesin and Melanghel.

All this, it is obvious, might be either said or sung, in twenty different ways; but nothing can be more certain, than that not one of the anticipated score would resemble that of our author, who

notwithstanding his heroic material, is, as regards the more fantastic elements of romance, nearly as much a matter-of-fact-man as Sheridan's Governor of Tilbury Fort. With the exception of an ominous voice in the wind, warning the prince of Caradigion of the approaching inundation, nothing supernatural or mysterious occurs, from the beginning to the end of the story; and the deeds of the predatory and cattle-stealing British leaders receive little other colouring than what is suggested by the glib spirit, and whimsical humour, of the narrator. It must not, however, be left untold, that the entire volume is interspersed with pieces of versification, principally in the way of translation, paraphrase, and probably of a still more liberal handling of the bardic fragments and traditions of our worthy Celtic progenitors of Wales. Of the more serious of these minor poems, all are passable, and several very pleasing; but in them, as well as in the prose, the claim to attention rests principally upon such as more especially illustrate the author's very original talent; an adequate notion of which will be better conveyed by an extract or two, than by all the positive and negative description in the world. For this purpose, we select a passage, in the first instance, in which Elphin, accompanied by a trusty overseer, repairs to the castle of prince Seithenyn, ap Seithen Saidi—who, being one of the three immortal drunkards of Britain, has been judiciously created, the Lord High Commissioner of the Royal Embankment,—in order to expostulate with that officer on his dangerous neglect of duty. The parody on a certain favourite train of reasoning in a nameless assembly, is exceedingly arch and diverting.

'The sun had sunk beneath the waves when they reached the castle of Seithenyn. The sound of the harp and the song saluted them as they approached it. As they entered the great hall, which was already blazing with torch-light, they found his highness, and his highness's household, convincing themselves and each other with wine and wassail, of the excellence of their system of virtual superintendence; and the following jovial chorus broke on the ears of the visitors:

THE CIRCLING OF THE MEAD HORNS.

Fill the blue horn, the blue buffalo horn :
 Natural is mead in the buffalo horn ;
 As the cuckoo in spring, as the lark in the morn,
 So natural is mead in the buffalo horn.

As the cup of the flower to the bee when he sips,
 Is the full cup of mead to the true Briton's lips :

From the flower-cups of summer, on field and on tree,
Our mead cups are filled by the vintager bee?

Seithényn ap Seithyn, the generous, the bold,
Drinks the wine of the stranger from vessels of gold;
But we from the horn, the blue silver-rimm'd horn,
Drink the ale and the mead in our fields that were born.

The ale-froth is white, and the mead sparkles bright;
They both smile apart, and with smiles they unite:
The mead from the flower, and the ale from the corn,
Smile, sparkle, and sing in the buffalo horn.

The horn, the blue horn, cannot stand on its tip;
Its path is right on from the hand to the lip:
Though the bowl and the wine-cup our tables adorn,
More natural the draught from the buffalo horn.

But Seithényn ap Seithyn, the generous, the bold,
Drinks the bright-flowing wine, from the far-gleaming gold.
The wine, in the bowl by his lip that is worn,
Shall be glorious as mead in the buffalo horn.

The horns circle fast, but their fountains will last,
As the stream passes ever, and never is past:
Exhausted so quickly, replenish'd so soon,
They wax and they wane like the horns of the moon.

Fill high the blue horn, the blue buffalo horn;
Fill high the long silver-rimmed buffalo horn:
While the roof of the hall by our chorus is torn,
Fill, fill to the brim, the deep silver-rimm'd horn.

‘Elphin and Teithrin stood some time on the floor of the hall, before they attracted the attention of Seithenyn, who, during the chorus, was tossing and flourishing his golden goblet. The chorus had scarcely ended when he noticed them, and immediately roared aloud, “You are welcome all four.”

‘Elphin answered, “We thank you: we are but two.”

“Two or four,” said Seithenyn, “all is one. You are welcome all. When a stranger enters, the custom in other places is to begin by washing his feet. My custom is, to begin by washing his throat. Seithenyn ap Seithyn Saidi bids you welcome.”

After some further bacchanalian display, on the part of the high commissioner, who is an evident favourite with his creator; the prince proceeds to business.

“Prince Seithenyn,” said Elphin, “I have visited you on a subject of deep moment. Reports have been brought to me, that the

embankment, which has been so long intrusted to your care, is in a state of dangerous decay."

"Decay," said Seithenyn, "is one thing, and danger is another. Every thing that is old must decay. That the embankment is old, I am free to confess; that it is somewhat rotten in parts, I will not altogether deny; that it is any the worse for that, I do most sturdily gainsay. It does its business well: it works well: it keeps out the water from the land, and it lets in the wine upon the high commission of embankment. Cupbearer, fill. Our ancestors were wiser than we: they built it in their wisdom; and, if we should be so rash as to try to mend it, we should only mar it."

"The stonework," said Teithrin, "is sapped and mined: the piles are rotten, broken, and dislocated: the floodgates and sluices are leaky and creaky."

"That is the beauty of it," said Seithenyn. "Some parts of it are rotten, and some parts of it are sound."

"It is well," said Elphin, "that some parts are sound: it were better that all were so."

"So I have heard some people say before," saith Seithenyn; "perverse people, blind to venerable antiquity: that very unamiable sort of people, who are in the habit of indulging their reason. But I say, the parts that are rotten give elasticity to those that are sound: they give them elasticity, elasticity, elasticity. If it were all sound, it would break by its own obstinate stiffness: the soundness is checked by the rottenness, and the stiffness is balanced by the elasticity. There is nothing so dangerous as innovation. See the waves in the equinoctial storms, dashing and clashing, roaring and pouring, spattering and battering, rattling and battling against it. I would not be so presumptuous as to say, I could build any thing that would stand against them half an hour; and here this immortal of a work, which God forbid the finger of modern mason should bring into jeopardy, this immortal work has stood for centuries, and will stand for centuries more, if we let it alone. It is well: it works well; let well alone. Cupbearer, fill. It was half rotten when I was born, and that is a conclusive reason why it should be three parts rotten when I die."

"The whole body of the high commission roared approbation.

"And after all," said Seithenyn, "the worst that could happen would be the overflow of a springtide, for that was the worst that happened before the embankment was thought of; and, if the high water should come in, as it did before, the low water would go out again, as it did before. We should be no deeper in it than our ancestors were, and we could mend as easily as they could make."

"The level of the sea," said Teithrin, "is materially altered."

"The level of the sea!" exclaimed Seithenyn. "Who ever heard of such a thing as altering the level of the sea? Alter the level of that bowl of wine before you, in which, as I sit here, I see a very ugly reflection of your very goodlooking face. Alter the level of that: drink up the reflection: let me see the face without the reflection, and leave the sea to level itself."

‘ “ Not to level the embankment,” said Teithrin.

‘ “ Good, very good,” said Scithenyn, “ I love a smart saying, though it hits at me. But, whether yours is a smart saying or no, I do not very clearly see : and, whether it hits at me or no, I do not very sensibly feel. But all is one. Cupbearer, fill.” ’

The following song is not only pithily descriptive of Celtic warfare, but very strongly flavoured with our story-teller’s most rare intellectual ingredient :

‘ The hall of Melvas was full of magnanimous heroes, who were celebrating their own exploits in sundry chorusses, especially in that which follows, which is here put upon record as being the quintessence of all the war-songs that ever were written, and the sum and substance of all the appetencies, tendencies, and consequences of military glory :

‘ THE WAR-SONG OF DINAS VAWR.

The mountain sheep are sweeter,
But the valley sheep are fatter ;
We therefore deem’d it meeter
To carry off the latter.
We made an expedition ;
We met a host, and quell’d it ;
We forc’d a strong position,
And kill’d the men who held it.

On Dyfed’s richest valley,
Where herds of kine were brousing,
We made a mighty sally,
To furnish our carousing.
Fierce warriors rush’d to meet us ;
We met them and o’erthrew them :
They struggled hard to beat us ;
But we conquer’d them, and slew them.

As we drove our prize at leisure,
The king march’d forth to catch us ;
His rage surpass’d all measure,
But his people could not match us.
He fled to his hall-pillars ;
And, ere our force we led off,
Some sack’d his house and cellars,
While others cut his head off.

We there, in strife bewild’ring,
Spilt blood enough to swim in :
We orphan’d many children,
And widow’d many women.

The eagles and the ravens ,
 We glutted with our foemen ;
 The heroes and the cravens,
 The spearmen and the bowmen.

We brought away from battle,
 And much their land bemoan'd them,
 Two thousand head of cattle,
 And the head of him who own'd them :
 Ednyfed, King of Dyfed,
 His head was borne before us ;
 His wine and beasts supplied our feasts,
 And his overthrow, our chorus.'

On the whole "The Misfortunes of Elphin" is a remarkable literary whimsicality ; and, while an inclination exists to prefer that which is distinctive and original, even to productions of greater pretensions, which are deficient in the essential charm of novelty, these literary *hors d'œuvres* may sometimes properly take place even of solid viands of a more familiar, and less piquant description. Nor, in the sequel is this tendency injurious : whatever stimulates activity of mind is always ultimately salutary, even although the temporary result may be worthless. Never, indeed, did any era more forcibly illustrate this truth than the present, when the miserable consequences of long-enduring and stagnant prejudices, are staring the whole country in the face. What is true, as concerns morals and politics, is no less so in respect to literature ; and the provinces of wit, humour and imagination, profit as much by the eternal craving for new mental combinations, as departments more immediately connected with social well-being. Hence the occasional visits, "few and far between" of a frolicsome guest like the author of "Headlong Hall" cannot but be welcome, even although he now and then scatter his darts somewhat too much at random. For instance it is not for the genuine satirist, either directly, or indirectly, to insinuate the superiority of half-barbarous states of existence, by partially adverting to the evils consequent on higher stages of civilization. This may do very well for the obtuse supporters of the wisdom of our ancestors, or in aid of the picturesque in a Waverley romance ; but it is utterly unworthy of the robust dialectics of the author of Elphin. Whatever the ills attendant on advanced stages of the human progress, the sum total of social suffering has always been greater in those periods which, simply because they can be more graphically dealt with, it has been so fashionable of late to uphold. A similar discountenance is also due to certain

sneers which now and then drop from our humourist, against political economy, and kindred lines of investigation,—a jargon made so much their own, by a very despicable portion of the press, as to be altogether unpalatable from more honourable quarters. These, however, are but incidental slips; the general direction of the ridicule is sound and correctly levelled, and for the most part rather heightened than otherwise by a touch of the cynical—a quality so indispensable in the compositions of a satirist, that from Lucian down to Swift, or still farther to Acidity personified in the form of William Gifford, it may be doubted if a single one has ever existed in whom a species of the temperament has not been more or less traceable. The proportion is, however, everything; and while most palates prefer the *Aigre-doux* even to the *Bon-bon*, few can relish unmitigated Verjuice.

ART. X.—1. *An Introductory Lecture delivered in the University of London, on Tuesday, November 11, 1828.* By Hyman Hurwitz, Professor of the Hebrew Language and Literature.—London. John Taylor, 1828.

2. *Statement of the Civil Disabilities and Privations affecting the Jews in England.* Printed by George Taylor, Lamb's Conduit Passage, Red Lion Square.

BIGOTRY must have a nest egg. By which word bigotry, is not meant believing that one religion is better than another—for that we all do;—but believing that one man has a right to oppress and injure another, for differing from him in religion. In short it means the creed of religious highwaymen and pious pickpockets, who claim to intromit with their neighbour's purse and person, *quia* he differeth in faith.

When a man cannot have what he would, it is well known he must be content with what he may. If he is unable to procure the savoury meat his soul loveth, he must stoop to imitation venison, of any thing that chews the cud or parts the hoof. If there is no persecuting a Catholic or a Dissenter to his satisfaction, he must try what sweetness there is in a Quaker or a Jew. They are both of them inviting sects. They have a Treasury, but no Ordnance; and it is in the fitness of things that they should be treated with injury accordingly. We are all thieves, by nature and by practice; and like the thieves that go to Bow-street, we rob only where we dare, and let it alone where we think we had better not. A Quaker, for instance, may be robbed with impunity, provided none but Quaker eyes behold it.

If the robber should go further, and, after breaking into his house, cut his son's throat, and violate every female in his family before his face,—the law, which is the perfection of reason, is that there shall be no remedy. It is 'crown's quest law,' that what Sir Walter Scott calls the five pleas of the Crown, may be severally acted on the persons of a whole Quakers meeting, at once, provided none of the government faith are in a situation to give evidence. And this not because any body doubts, or affects to doubt, the evidence of the sufferers. It is acknowledged on all hands, that if there is any part of the human race whose word would be taken on any given subject with more confidence than another's, these are they *par excellence*. It is not because any man would be insane enough to say, he doubted their deposition; but it is because society in this country is not formed for the purpose of mutual protection, but for the purpose of securing certain advantages to the class that happens to be strongest; which is what, for the time being, is called the orthodox.

The Quakers are a *hors d'œuvre*; the business at present is with the Jews. A Jew is a primitive Dissenter; the earliest on record, except one. It is plain therefore, that he is the Devil's next of kin; and that his teeth, lips, hips, nose, toes, and all the rest of his judicial members, are held, and always have been, *durante bene placito* of the true believers. Men mock at this term when they find it in the mouth of a Mohammedan; but why should not men be persuaded of the truth of their own faith in one country, as well as in another. It is as clear as Euclid, that the question is only one of place and numbers; for there may be found a hundred different kinds of 'true believers,' all claiming to be such on the strength of being strongest on the muster-roll. *Truth* is quite a different subject; the real Simon may be found some day; but till he is, it would be policy that all the family of Pures should keep their hands out of their neighbours pockets, and walk with as little jostling as they can, till they come to the grand denouement.

Suppose, now, some man at Charing Cross should say, that he was the real owner of every thing that passed that thoroughfare, and though he did not mean to take it all, he would take what he thought fit;—that he was the true man, he knew he was—and therefore he would act upon his knowledge. What argument could be brought on such a claim, that does not hold on that of the 'true believer?' The true believer says, he acts upon his certain knowledge that he is right. So does the man at Charing Cross. Other people urge, that his conviction is not theirs. The true believer answers calmly, that it is because they are in the

wrong. The passengers begin to grumble,* and say it is not for the good of the world at large that one man should assume such an authority, and if one does another may.. Our true believer marches on, and says that while he has broad shoulders he will try the question. This is the 'ultima ratio' of orthodoxy all the world over. No man was ever found declaring himself orthodox, till he was strong. Sectaries are not orthodox, because they are only strong enough to be sectaries; it is precisely for the same reason that frigates are not line-of-battle ships. It was once great odds, whether 'the Uncreated Light of Mount Tabor' did not *faire fortune* in theology; and if it had, we should all have been Quaternitarians, and Quaternitarians would have been the orthodox. In all possible countries, orthodoxy is as it were matter of luck. A dynasty shall be a good dynasty on one side of the water, and on the other it shall be *damnatae memoriae* by virtue of a flank movement. The syllogism of orthodoxy is one of extreme simplicity; for its major, minor, and conclusion, are nothing but 'horse and dragoons.' It is the theological version of

' The good old rule, the simple plan,
That they should take, who have the power,
And they should keep who can.'

It is true that orthodoxy, like the small-pox and every thing else, has become milder than it used to be. Nobody has been burnt at York, since the Minster; and the present Mr. Rothschild has his full number of *molars*. But the spirit is the spirit still. A foot-pad might as well plead that he is not Robin Hood,—as modern bigotry expect to escape, by urging that it lacks the splendours of the burning time. The Corporation of London leaves Mr. Goldsmid's teeth alone, because they are of no use to it; but why did it take 500*l.* out of his gaberdine when he was made a broker? Jews are not roasted now; but why should not a Jew roast and boil, in the way of his honest industry, within the city like another man? The secret is out; they want Mr. Huskisson in the city. It is part of the plot against trade; we are to be deprived of the Jew's industry, that somebody else may be the better for it. Nine tenths of existing evils, and ninety-nine hundredths of the remainder, solve themselves into the robbery of Jack to please Tom,* and the public for every body. Every restriction inflicted on a Jew, on pretence of his being what Dr. Southey calls a 'misbeliever,' is a request to take something out of the public purse, for the benefit of the pious people who ask it. If the Jew is to be put out, it is because it would be for the advantage of the public

that he should stay in. If not, there would be no competition, and consequently no reason to wish him 'out. A Jew that should keep a retail shop, could only hold his ground by being pleasing to his customers; and why are we, the good Christians, to be deprived of the retail shop that pleases us? If a Jew sold naughty figs; or made his bread with the leaven of the Scribes and Pharisees, his customers would leave him, and the Jew would starve. But there is no need to call in the Thirty-nine Articles, for the regulation of groceries and the protection of penny rolls. Meh had both, without the Thirty-nine Articles; and might have them still.

Some people think Jews are foreigners, because there are foreign Jews. This is a mistake; which it may be hoped will be cured, when there is a King's College in the metropolis. The Jews are as true-born Englishmen as one half of the nobility. If any person is scrupulous on the subject of a 'True-born Englishman,' he may consult De Foe. It is laughable to hear true-born Englishmen question the title of a Jew, whose ancestors came into the country with Charles II. Why is not population in Spital-fields declared to be *extra quatuor maria*; or a German sugar-baker in Whitechapel proclaimed incapable of propagating an Englishman? If one can make natural-born subjects, the other can; or if not, the difference is not in nature but in persecution.

What persecutors can never find out, is that other people besides the persecuted are injured by them. It is past their comprehension, that when a Quaker is stricken on the face, or a Jew smitten in the hinder parts, the corresponding nerves in any good Christians should vibrate by sympathy. They never take into their account, that the injury is in the insult, and that the insult is to all. Decent people cannot live comfortably among violence and wrong, even though there is a compact to abstain from their peculiar dwellings. If an individual householder sets up a house of ill fame, the street must unite to burn him out; and there is no use in the plea, that he did not carry his iniquity into each man's particular parlour, or that reverend men were not invited to be his partners unless they chose. There is a moral stain in the *permission* of persecution; a species of complicity, in living in a country where it takes place. Weakness excuses every thing; but the public will is strong enough to curb all persecutors, and therefore the responsibility has begun.

The history of the Jews as it relates to the present subject, is briefly and well given in the Statement of Disabilities and Privations, &c.

'Their first appearance in England as a body, and in any number, was at the period of the Norman Invasion, although it is equally certain

that individuals of their nation sojourned here under some of the Saxon Monarchs; allusion to them being made in some ecclesiastical muniments in the year 740, and again in 833.

‘The early Chronicles, from the Conquest downwards, afford a frightful series of atrocious massacres and persecutions to which the Jews were from time to time subjected, according to the caprice or avarice of the Sovereign, and the ignorance and bigotry of the people.

‘They were during this period considered the immediate property of the Crown, and were specifically reserved as such in more than one Royal Charter;* in this character they were occasionally the objects of some special immunities and privileges, granted, it should seem, with the view of allowing scope to their commercial enterprise, for which they, by their foreign relations, had many facilities, and that they might thus by their habitual tendency to accumulate wealth, afford a more valuable prey to their Royal Masters, who, in some cases, after extorting to the uttermost farthing from their unhappy victims, sold them to a subject; they were thus transferred by Henry III to his brother Richard duke of Cornwall, in order that, as the Chronicler relates, “whom the former had flayed, the latter might eviscerate.”

‘Traces are found in Parliamentary, Municipal, and Fiscal Records, of various alternations of persecution and protection, affording matter of interest to the Antiquarian and Historian; but for the present purpose it may suffice to state, that only one statute relating to this people, and which was passed during the first period of their settlement in England, remains specifically unrepealed: it is of uncertain date, although attributed to 3rd Edward I, and having been long considered obsolete, remains in the original Law French, without any translation attached, and is only to be met with in the appendix to Ruffhead’s Statutes.†

‘Within a very few years from the passing of that act, and after enduring every species of the most aggravated cruelty and oppression, the Jews were, in the year 1290, banished the kingdom by a Royal Proclamation, under the standing pretence of grinding the poor by their usurious dealings, and they departed accordingly, to the number, as is computed, of 16,500 persons.

‘So general and compleat must have been the exile of the Jews, that no mention whatever of them occurs in our annals for the long interval

* In Henry 3rd’s Charter to the City of London, granted on the 26th March, in the 52nd year of his reign, the exception runs thus, “But as touching our Jews and Merchant Strangers, and other things out of our foresaid grant, touching us, or our said City, we and our heirs shall provide as to us shall seem expedient.”

† This Act is commented upon by Daines Barrington, in his observations on the Statutes, and by him considered obsolete; in point of fact, it may be doubted whether it was not virtually repealed by 37th Henry VIII cap. 9, which, in the most comprehensive words, repeals all previous Acts relating to usury; the restraint of which was the chief, if not the only, object of the Act of 3rd Edward I in question.

of near 400 years, or until after 1656, when Cromwell, on the petition on their behalf of Manassch Ben Israel, a Physician, in Holland, highly distinguished for his scientific knowledge, was induced, as is supposed, to agree to their re-establishment in England; but such consent, if given, does not appear to have been then acted on, as in 1663, the whole number of Jews in London did not exceed twelve; in the years immediately following, however, a great influx of them took place, although sanctioned by no special permission, and in consequence it was held, on an elaborate argument in the case of *The East India Company v. Sand*, that the Jews reside in England only by an implied licence, which on a proclamation of banishment, would operate like a determination of letters of safe conduct to an alien enemy.—(2 Show. 371.)

The Jews on such their re-establishment, were spared the direct hardships and inflictions they had endured during their former settlement here, but notwithstanding had to encounter much illiberality and jealousy on the part of the principal Merchants of London, who, in 1685, petitioned James II to insist on the Alien Duty of Customs being exacted from all Jews, notwithstanding their having obtained letters of denization; similar petitions were presented from the Hamburg Company, the Eastland Company, and the Merchants of the West and North of England, but the King, as his brother Charles II had before done, refused to comply with the prayer of such petitions. The Merchants renewed their application in 1690 to William III, when, after much discussion before the Privy Council, an order was issued, the effect of which was, to render the Jews liable to the Alien Duty.

Upon this the Merchants drew up a most loyal address of thanks to the King, and no farther notice appears to have been taken of the Jews until the 1st year of Queen Anne, when, it being represented to both Houses of Parliament that the severity of Jewish parents towards such of their children as were desirous of embracing the Christian faith, was a great hindrance to their conversion, it was enacted, (Stat. 1 Ann, c. 30) that “if the child of any Jewish parent is converted to the Christian religion, or is desirous of embracing it, upon application to the Lord Chancellor, he may compel any such parent to give his child a sufficient maintenance in proportion to his circumstances.”

Early in the following reign a Petition was presented to the Lord Mayor and Aldermen of London, praying that no Jew might be admitted a Broker: no order or bye-law seems to have been made upon such petition, which comprised only the most futile allegations.

In an Act passed 10th Geo. I. c. 4, providing for the administering the oath of abjuration for the purposes contemplated by that statute, the following clause was introduced in favour of the Jews: “Whenever any of his Majesty’s subjects professing the Jewish religion shall present himself to take the oath of abjuration, the words, ‘upon the true faith of a Christian,’ shall be omitted out of the said oath.” This provision, exclusive of the very proper object of it, is so far additionally valuable,

as affording the first legislative recognition of the relation of Sovereign and Subject as regards the Jews born within the British dominions; and they are also, as such, included in the Act of 13th Geo. II. c. 7, which enacts, that every Jew who shall have resided seven years in any of his Majesty's Colonies in America, shall, upon taking the oath of abjuration, qualified as above, be entitled to all the privileges of a natural-born subject of Great Britain.

Following up the preceding provision, whereby naturalization was thus effected without requiring that, in compliance with the Act of 7th James I the party applying to be naturalized should first receive the sacrament, the famous Act for permitting persons professing the Jewish religion to be naturalized by Parliament, was passed in 1753, 26th Geo. II. c. 26. The principal clauses of which were, that Jews, upon application to Parliament, might be naturalized without taking the sacrament; that they must have resided three years in England or Ireland; and for disabling them, notwithstanding, from purchasing or inheriting any advowson or right of patronage in the Church.

It would now be scarcely credible, were it not matter of authentic history, that this mere permission given to the Legislature to naturalize such foreign Jews as might apply, being qualified as above mentioned, excited such a ferment throughout the country, as to accelerate a Session of Parliament for the purpose of passing, as its first Act, (27 Geo. II. c. 1,) a repeal of the Act in question, stating by way of reason in the preamble, "that occasion had been taken from the said Act to raise discontents, and to disquiet the minds of many of his Majesty's subjects."

By the 26th Geo. II. c. 33, commonly called the Marriage Act, the Jews and Quakers are the only communities specially excepted out of the operation of it.

Mr. Schjeant Heywood, in his valuable book on County Elections, has the following words: "Since their return (after being banished by Edw. I), Jews have been possessed of *real* estates, without molestation; and notwithstanding the doubts thrown out in both Houses of Parliament in 1753, may, I conceive, vote at county elections, upon taking the oaths, according to the ceremonies of their religion, as they are always permitted to do, when sworn in the Courts of Justice."

The result of the foregoing review of the public and legislative proceedings with reference to the Jews in England, appears most distinctly to prove that, with the single exception of the Act of Anne, as affecting parental control, and under which not more than two or three applications have ever been made in Chancery, there is no disabling statute whatsoever affecting the claim of his Majesty's subjects professing the Jewish religion to a full and equal participation with their Christian fellow-subjects in the reciprocal rights and privileges consequent upon the obligation and duty of allegiance as natural-born subjects of the Imperial Crown of the United Kingdom, including the power to acquire, inherit, possess, convey, and transmit every species of property, real as well as personal; subject only, in common with all Dissenters, to the

restrictions imposed by the Test and Corporation Acts,* in respect of qualification for certain official and municipal situations.

‘Having thus satisfactorily established the fact, that there is no particular Act of Parliament affecting the free and unfettered power of the English Jews to pursue the fair and free course of industry and talent, in common with their countrymen, it is the more to be regretted, that any impediment should be thrown in their way by any local regulations; and most of all, that such impediments should have originated, and may still be found to exist, in the city of London.

‘The great and important privation the Jews thus experience, arising apparently from custom, and that a bad one, as capriciously and illegally excluding one class of his Majesty’s subjects from a privilege afforded to all others, is the circumstance of the Corporation of the City of London refusing to grant its freedom to professed Jews, who are thus rendered incapable of keeping open shop in the City for retail of goods. This is not only a serious privation to a numerous and industrious class of individuals so excluded merely on account of difference of religious faith; but operates also to the detriment of the public, who lose the benefit of the more active competition, which might otherwise in several trades be thus advantageously excited.

‘The more enlightened policy which has of late actuated the Corporation of London, will, there is every reason to expect, induce a revision of all such narrow and exclusive restrictions as may remain among their bye-laws, or regulations, and by rescinding them, give full scope to the energy of Trade, unshackled by any undue preference, interference, or control, and claiming no other patronage than the all-sufficient boon of public confidence as the reward of private honesty.’

Since the publication of the above, considerable alterations have been made in the law as it affects Dissenters in general. And there appears to be no doubt that by these alterations, the civil disabilities of the Jews are removed to as great an extent, as those of any other Dissenters, *if they would take the test*. That there is nothing in the test which they need or ought to stick at, was powerfully and unanswerably argued by Lord Winchelsea in the House of Lords;† and the acquiescence with which the arguments of his lordship were received, is evidence that no invasion of the intentions of the legislature would be committed, by a Jew coming forward to take the oath in the sense then and there laid down. ‘The true faith of a Christian,’ as most honourably and undisguisedly defined by the noble lord, means nothing but so much of what is called Christianity, as the deponent believes to be true. Every body knows that the

* Published before the late alterations.—*Editor*.

† Debate in the House of Lords on the Third Reading of the Corporation and Test Acts Repeal Bill; 28 April, 1828.—*Mirror of Parliament*. Part XIII. p. 1149.

Christianity of Mr. Smith of Norwich, and of the archbishop of Canterbury, are not the same Christianity; they are consequently only what the respective owners believe to be true. The abstract Christianity, *non est inventus* in law. If the law was otherwise, men must return to burning each other as in the dark ages, for the sake of subliming abstract Christianity from the ashes. As was laid down, therefore, by Lord Winchilsea, a Mohammedan or a Jew might either of them present himself to make the declaration, 'on the true faith of a Christian,' without being understood to mean any thing but those points of belief—and they are many—in which they severally agree with the inhabitants of Christian countries in general.

But if a man has a great objection to plum-porridge, there is no use in telling him that it is an excellent thing, and he may like it if he likes. Civilized men show deference to each other's tastes and fancies, even though they may not be convinced of their being reasonable and necessary. It is a base thing to take advantage of a man's honest prejudices to oppress him; even though he eschews the flesh of swine, and holds the eagle and the ossifrage in abomination among fowls. If a Jewish gentleman does not think it would be gentlemanly in himself individually, to take the declaration in Lord Winchilsea's sense,—if he thinks his conduct would be misinterpreted by his acquaintance and fellow-believers,—he ought not to be tempted to do it, and above all things he ought not to be allowed to lie under any loss or detriment from such an honourable motive. Men are fast finding out, that they meet together in society because they are men, and for human ends; and that all attempts to persuade them to injure and defraud each other in this world, for the honour and glory of the next, are the baits of knaves to take fools,—the frauds of those of whom our fathers said,

'Your heaven you promise, but our earth you covet.'

Men of all sects are rising rapidly to an equality in general information and knowledge; and such sects as cannot resist the spread of knowledge, go out. The Jews had always an immense mine of learning, some hidden and some for every man's use. It is perfectly unreasonable to think, that the man who stands up in a University to lecture, is to be spit upon when he comes out of the pulpit. It is not because *he* will not endure it, but because *we* will not. Persecution is mistaken in its party. It throws a stone at a sheep, and hits a bull upon the nose. It is the community that is the injured; and past events have created no indisposition, to try a fall with any that may stand forth as the champions of the wrong.

ART. XI.—1. *A Treatise on the Laws of Literary Property ; with an Historical View and Disquisitions on the Principles and Effects of the Laws.* By Robert Maugham, Secretary to the Law Institution, &c. London. Longman & Co. 1828. 8vo.

2. *Compendium on the Law of Patents.* Rankin. 1826.

WE are informed by Milton, that “ the studies of learning in her deepest sciences have been so ancient and so eminent among us, that writers of good antiquity, and ablest judgments have been persuaded, that even the school of Pythagoras and the Persian wisdom took beginning from the old philosophy of this Island.”* Though the subjects of legal protection, and the solicitude with which it is bestowed, generally, however, indicate the popular estimation of their worth, our code of literary property can boast of no such venerable antiquity ; and so little was any right of proprietorship recognized here, at the introduction of printing, that to obtain security, both authors and booksellers were, as Maclaurin states, in the habit of applying to the Pope, to the duke of Florence, and the Republic of Venice, for a license which conferred the exclusive right of publication during a period sometimes as long as fourteen years.† It may be thought His Holiness will now have an opportunity of returning the compliment ; but the judges then gradually supplanted the Pope in his jurisdiction ; and by the reign of Ann, copyright was so fully established that an action of damages lay for its infringement.

In that reign, however, a statute passed for the purpose of fortifying the right with penalties ; and by a judicial construction, pronounced sixty-two years afterwards, the statute was declared to have circumscribed the period of proprietorship for the time during which it had given the penalties ; namely, fourteen years from the death of the author, with a contingent ulterior term of fourteen years in case he should be living at the expiration of the first.

The decision was a complete surprise on the public, nor was it less in opposition to popular apprehension, than to the previously received understanding of the profession. Long after the passing of the statute, Dr. Robertson transferred the copyright of his works to Millar the Bookseller, and sir R. Steele that of the *Tatler* to Johnstone ; and in the instruments of assignment of both, the property was limited to the purchaser “ and his heirs for ever.”—Copyright formed the constant

* *Arcopagitica.* p. 149.

† *Works* Vol. 2. p. 77. *Origin and Progress of Literary Property.*

subject of family settlement.—It was made a provision for wives and children, and a considerable portion of the Stationers' Company had their estates in copies. Lord Hardwicke, in the year 1739, restrained the printing of the *Paradise Lost* at the instance of an individual deriving his title from an assignment from the author made seventy-two years before. And injunctions were in like manner obtained against the printing of the "*Whole Duty of Man*" upon an assignment made seventy-eight years antecedently, of Pope's and Swift's *Miscellanies* and other works.

No legislative provision was then introduced, adapted either to the altered state of the law or the advancing civilization of the age; but the 54 Geo. 3rd, c. 156, at last placed the law on its present footing by extending the period to twenty-eight years from publication, with a contingent reverter to the author, for the remainder of his life in the event of his being then living. Music is within the protection of this statute, and the other departments of the arts, models, casts, prints, &c. have by various other statutes received much the same term of proprietorship as literary property in general.

But, while protection has been thus given, on so dwarfish a scale, in the increasing number of copies of their works demanded of authors for certain privileged libraries, the law has been imposing a heavy and augmenting tax upon literature, under the pretext of giving it "encouragement;" a term we never meet, either in moral or political science, without being reminded of the philosophical observation of Mr. Bentham. "Command production; command cultivation, you do nothing; but secure to the cultivator the fruits of his industry, and perhaps you have *done enough*."* And most assuredly, for aught that savours of a desire to promote the intellectual advancement of man, this singular encouragement has an odd original: whence will it be supposed it dates its commencement, but in that most demoniacal of all the demoniac devices of that worst of times—for the prostration of mind—the Licensing act of Charles II? The statute provided, that three copies of every book, printed, should be sent to the Stationers' Company, to be forwarded by them to the king's library, and the vice-chancellors of the two universities of Oxford and Cambridge.

"The object of the act," observes Mr. Mangham, "in requiring the delivery of the three copies, was evidently to furnish the ministers of state, and the vice-chancellors of the universities, with the ready means of enforcing the intentions of the legislature. Thus the first

* *Traité de Legislation*. Tom. i. p. 154.

copy was to be transmitted to the king's library, where it would undergo the inspection of those whose business it was, to ascertain that nothing should be published which contained matter offensive to the *state*. And it is remarkable, that the copies for the universities were not ordered for the libraries of any of the colleges, but for the vice-chancellors in their official character: thus evidently having relation to *the interests of the Church*."—p. 42.*

This statute afterwards expired, but the precedent was too good to be lost, and the act of Ann resuscitated the tax with a three-fold burthen, increasing it to nine copies of every work published, one for the royal library, another for each of the universities of Oxford and Cambridge, the libraries of the four universities of Scotland, the library of Sion college, London, and of the Faculty of Advocates, in Edinburgh; and an act of the last reign, added two more, one for the library of Trinity college, Dublin, and another for that of the society of the King's Inns. With the exception of maps and prints (though these cease to be exceptions, if published with the smallest imaginable quantity of letter-press), and parts of works published at uncertain intervals, every species of book, from the most trifling, to the most costly, is within the gripe of the statute; and so deeply imbued are these various institutions with the importance of encouraging learning, by relieving learned men of eleven copies of their works, that its "encouragement" extends even to those examples of venerable display of historic lore, "Jack the Giant Killer," and "Mother Hubbard.†"

The sweeping character of the demand is vindicated on the pretended impossibility of otherwise making the requisite selection, and is attempted to be palliated by the offer of returning such books as are rejected. With respect to the first, we have only to say, that if this great metropolis, the very heart of the intellect of the country, cannot produce eleven individuals with sufficient powers of criticism to make a judicious selection, one for each of the libraries, small must be the extent of that "encouragement to literature" for which the tax exists; and, as to the pretended palliative (we presume it is about equal in all the libraries), we may judge of its extent from the evidence of one of the curators of the Bodleian:—"Speaking generally, what do you suppose to be the value of the books rejected in the course of a year?—3*l*. or 4*l*.; not more."‡ Indeed some of the libraries

* And see Reasons for a further amendment, by sir Egerton Brydges, 1817.

† Petition of Messrs. Longman to the House of Commons, 6th April, 1818.—Children's books are required to be sent.

‡ Rev. T. Gainsford, Minutes of Ev., 1818. p. 106.

display any thing but a spirit of liberality in the exaction of their dues. His edition of Johnson's Dictionary, published at eleven guineas, was presented by Mr. Todd to Sion college, the library of the London clergy. Yet, although a work not for common circulation, but of pure reference, another copy was demanded, and, after inefficient remonstrances delivered. The clergy are deeply versed in political economy, and possibly they might have thought, to carry off production, was to create an encouragement to produce.

“*The state of the law in other countries,*” says Mr. Maughan, “affords not only a strong and additional argument in favour of the policy of extending the rights of authors, and diminishing the burthens of literature ; but indicates the sentence of other nations on the injustice of our regulations.”

“*In the NETHERLANDS, three copies only are required to be deposited in the public libraries. In AUSTRIA, two. In FRANCE, before the Revolution, four copies, but since that event, two only are required for the National Library. In AMERICA, PRUSSIA, SAXONY, and BAVARIA, only one copy can be demanded.*”

Such is the posture of English literature, to which the oft-invited attention of the public has been once again called by Mr. Maughan, in a work comprising in reference to it, much historical and other information, and many scattered truths. A condition of the law, which not only imposes an immediate tax, falling with grossly unequal pressure on the producer, but at the expiration of a somewhat contracted time leaves the fruit of his labour, the production of all others most entitled to the respect of society, a prey to that common scramble, which is ordinarily considered the peculiar prerogative of savage life ; can find its apology only, in some strongly paramount interests of the community at large. But these are interests about which people generally talk a great deal, and with very indefinite ideas. We shall therefore endeavour to point out the meaning of the words, in the senses in which they are used.

This abstract body, the community, is made up of individuals who are intellectual producers, and individuals who are not. It can be the interests of the latter class alone, that *this* condition of the law is intended to promote. But these interests must, from the nature of the case, centre in the gratuitous participation by that class, to some greater or less extent, in the produce of the industry of the other. By the interests of the community at large, then, is here simply meant, a reaping by one class of the harvest for which the other had tilled the ground and sown the seeds ; at the very least so much of the harvest as was not ripe, to be gathered in by the period at which the gates are

broken open, and the fences trodden down ; with no inconsiderable *tithing* of the rest. " "

To subject the proprietorship of literary property to be squared with interests such as these, it can scarcely fail to be remarked, is to adopt a principle for this species of property which the whole jurisprudence of the country recognizes with reference to no other. "*Sic uteris tuo ut alienum non lædas*" is indeed a maxim of English law ; and therefore it is that a man is prohibited to build on his own ground, so as to obstruct the windows of his neighbour, or to swell his property by the processes of compound accumulation, into masses sufficiently large to endanger by its possession the security of the state. Still it is precisely at the point of "*non alienum lædas*" that the law stops short ; and we should be glad to know where is the chapter in all its mighty volume, which compels the owner of land to turn his ground into an ornamental garden, to furnish his neighbour with a prospect ; or forces the proprietor of money to divide its produce among the community. But there can be no solid ground for distinction between literary and other property. Indeed, it is impossible to deny the proposition of the authors, in their able petition to the House in 1818—"That, by the common law of this country, and the decisions of the highest courts of judicature, as well as by the principles of natural equity, and the analogy of every other species of property, they would have had, if no statute had passed on the subject, an exclusive right to the copyright of their several works, and to all the benefit and produce arising from their sale, as every other subject of this kingdom enjoys to all his effects and possessions."

Nor is this view of the subject, in the slightest degree, irreconcilable with that grand principle—the promotion of the greatest happiness of the whole. Still, it is necessary to guard against misunderstanding on the point : for there is no principle more susceptible of perversion in the mind of a superficial thinker. Though the happiness of the whole, be the end of every honest legislator, it is by certain definite means alone, that the end is to be attained ; and among these means, not only the opinion of those most versed in legislation as a science, but what has been well termed the instinctive consent of mankind, have conspired to place in the foremost rank the absolute security to each individual of the whole fruit of his labours.* Never can it be too thoroughly impressed on the mind, that legislation is a *protective* and not a *forcing* process. Strong emergencies may undoubtedly arise, to produce the necessity for a temporary de-

* *Traité de Legislation, Principes du Code Civil.*—p. 150.

violation from the accustomed means ; but those who have most to lose should take care how they admit them. Sophistry itself cannot produce a solitary pretext, founded on the common interest of all, for bestowing on the public, at the expiration of any given period, the productions of an author's labour which would not justify at any correspondent period, the forcible dedication to the same public, either of the stock of the fundholder, the produce of the manufacturer, or the soil of the owner of land. To withhold then from the intellectual producer, that unqualified security for the fruits of his toil, which the law throws around every grosser species of production, is to betray an ignorance of the fundamental principles of legislation ; or to exhibit the preponderance of mere brute force over the clearest demonstrations of science. To withhold it—and still further to impose on these fruits a tax laid on no others—in a country, in which other individuals are, through the medium of monopolies, privileged to practise a licensed extortion on the public—is to set all moral justice at defiance—to give the lie to every principle, on which the social union of man is maintained.

Assuming however the interests of the community thus explained to be the legitimate object of the legislator's attention, we presume those interests, with respect to mental production, must consist in the attainment of the greatest quantity of the best quality, and at the lowest price. Let us proceed, then, to inquire, how far the condition of law we have described, contains a security for the greatest promotion of these interests.

And first, with respect to production, let us ascertain the motives, in order that we may see the extent to which legislation is capable of being made to bear upon them.

These, it appears to us, may be reduced to four simple elements—the pure pleasure of the act of composition—the desire to propagate opinions, either from attachment to them, the impulse of benevolence, or other similar influences—an appetite for applause, and the prospect of direct gain. Lord Camden, indeed, would have reduced all to one ; but his vapid declamation, that “ Glory alone is the reward of science, and those who deserve it, scorn all meaner views,” has been ably exposed by Mr. Maugham.

“ Different men, possess different propensities and feelings. The objection supposes all men alike, and that they are alone influenced by the predominant passion of ambition. It is an objection, founded in utter ignorance of human nature. A very large class certainly are desirous of renown. But there are *other classes besides the ambitious*. Many men love their parents, wives, children, and kindred, and to

that intense degree, that they will exert their powers more eminently for them, than for the empty buzz of strangers, or of distant posterity. Do these lawyer-like reasoners suppose, that all men of warm affections are deficient in ingenuity, and that the stern and cold man of ambition, is the only inheritor of genius and greatness? Now a man of this kindly nature, may care but little for 'gain,' so far as he is personally concerned; but, for the sake of those who are dearer to him even than 'glory,' he may bestow more labour than the mere ambitious man."—p. 186.

"It is any thing but philosophical to talk of men, in general, as exerting themselves *disinterestedly*, and 'scorning all mean views.' Small must be the knowledge of human nature, which ventures upon such declamation. There are men of the strictest integrity, who far surpass the generous and the ambitious in acts of justice, and yet are influenced by motives of gain. Are all men who desire to be paid for the services they perform, 'mean?'"

"Authors are not a peculiar race of men—able to live on the air, 'glory-crammed.' Neither we suspect"—and this would have been a desperate thrust—"were those who reasoned with such loftiness, able to live on the renown, either of framing or administering the laws with impartiality."—p. 187.

Indeed, Lord Camden is a little unfortunate in his illustration, for notwithstanding his bombast about Milton, he tells us, that when the bookseller offered him the five guineas, "He did not refuse it."

Fortunately for the world, the circumstances of their authors left full sway to the operation of the motives which gave birth to the "Novum Organum," and the "Wealth of Nations." But how many are there with whom, but for the prospect of gain, it would be even culpable not to repress the motives which might urge them to literary composition; nor is it to be forgotten that when "success and miscarriage" had become "empty sounds" it was the pinch of poverty which carried Johnson through a task in which he feelingly describes himself as left "with little assistance of the learned, and without any patronage of the great; not in the soft obscurities of retirement, or under the shelter of academic bowers, but amid inconvenience and distraction, in sickness and in sorrow."* Of these four elements, it is probably seldom that any one ever exists in the mind in a single state, constituting the single motive to its operation. But it is manifestly with the last alone,—the prospect of gain—that it is within the province of the legislator to interfere.

Of course it is to protection, legislation must be confined, and be the species of production what it may, to carry encouragement to the producer to the utmost. "*Il faut prolonger l'idée*

de sa sûreté dans toute la perspective que son imagination est capable de mesurer."* But with the productions of the mind, (except of course for works of an avowedly transitory interest,) there is, through all time, no point at which foresight can fix the limit of duration. The very phrase—the form of words in which truth is enshrined, may be as eternal as truth itself:—works of philosophy—of history and of science—may survive even the country which gave birth to them; and the page which breathes

“The still sad music of humanity,”

last as long as humanity exists to listen. Nor is this a calculation beyond the consideration of the legislator. His protection ceases to operate, as a stimulus to production, at the point only, at which the producer does not look forward to requiring it. Yet, so much is there of romance in man, and in his intellectual productions especially, so apt is that romance to exaggerate their durability, that if every author do not, in the productions of his pen, behold, with Horace, a monument capable of setting at defiance

“—Innumerabilis
Annoſum series et fuga temporum,”

most shrink from contemplating the period at which their lucubrations will perish. Even at the very least, then, a desire will be felt, that protection be prolonged to some remote distance. But as this distance can never be accurately measured, nothing short of a perpetuity will be certain of embracing it, while the establishment of a perpetuity is obviously the most simple mode of answering the end. It is true it is often—perhaps oftener than by retaining the farming of the work in his own hands, that the practical means by which the gain is realized, is by admitting a publisher into a proprietorship in that farming, or in an absolute sale to him of the copyright; and many is the author, whose vanity is wonderfully sobered down by his publisher's offer. Still it must be remembered, that offer is likely to be increased by every circumstance capable of enhancing the value of the property; and even with publishers, we believe a preference for a perpetuity over any, even the longest term of years, will not be without its operation. Though we suspect his calculation is a little exaggerated we might quote in illustration of the principle in reference, both to authors and publishers, the fact mentioned by Mr. Maugham in allusion to another closely trenching upon it.

* *Traité de Legislation*, tom. 1. p. 175.

‘ For all ordinary purposes, to the great bulk of mankind, long leasehold property is really as useful as freehold; and endures as long as the lives of any, for whom they feel an interest, yet we may perceive, that such is not the general feeling, for the price in the market is exceedingly different: men are content with about three per cent., when it is insured to them in perpetuity, but they expect seven or eight in the other case, though it may last out three generations.’
—p. 194.

We must be careful, however, not to overstate the operation of these principles. By far the larger part of the motive to produce, will be the prospect of a return within that limited period, to which the speculations of men are ordinarily confined, and it remains, therefore, to be seen, to what extent the existing period of proprietorship affords a range, sufficient for the realization of this return. But here a difficulty meets us on the threshold; and it is no other than to determine what is that period of speculation; and it is much more easy to say what is not, than what is its boundary. It may safely be pronounced that a term of twenty-eight years, even with the contingent super-addition of the residue of the author’s life, falls far short of it; and we think we should be considerably within the mark, were we to fix fifty years from the death of the original speculator, as an average term. Those not conversant with the disposition of property, have no idea to what remote distances Englishmen, at all events, are in the habit of carrying their provisions. Let us, then, adopt this as a guide, though not a very accurate one, for our calculations.

Making allowances, then, for the infinite variety, both of the subject and merit of the productions of the mind, we apprehend, that all may be ranged under the two great classifications,—works (whatever be their intention) addressed to the tastes, passions, and existing circumstances of the age, and those adapted to all the fluctuations of society. The first are produced principally to satisfy an appetite ever craving for novelties and excitement. They soon “play their part,” and rapidly disappear. Accordingly, Mr. Murray, who is, perhaps, the largest publisher of the lighter literature of the day, being asked by the committee of 1818, “In treating with an author for the purchase of copyright, should you give more for the twenty-eight years, now absolutely extended to authors, than you would for his copyright of fourteen years as formerly?” Answers, “I do not think that I should; generally speaking, there are very few books whose reputation lasts beyond fourteen years, so as to render them a valuable property after that period.”

Works of this class, are necessarily brought out in greater

abundance than any other; and contribute most largely to swell the bills of mortality of the *proles sine matre creata*. Thus Mr. Murray—"Perhaps I should say, that the average would be about one in the hundred, that would be likely to retain any value of copyright after the first fourteen years had expired;"* whilst Mr. Baldwin, who is a publisher of more serious works, seemed inclined to rate the proportion at only one third.†. It is probable, however, that in the ardent desire for information, which is now so rapidly springing up, this disproportion has considerably diminished. We might mention as a proof, the vast increase which has taken place in works connected with the science of Political Economy. Notwithstanding the great merit of that splendid work—the depth of its views—the amount of its information—and the novelty and importance of its subject, the "Wealth of Nations" only got through two tardy editions in eight years, and continued for a long time, almost the only work in that science. Within these last few years, we have not only had a host of talented writers on the subject, but have at this moment four *purely elementary* treatises, beside the French authors.

But, whatever alteration may have taken place in its proportion to the rest of our literature, it is probable that, in point of duration, the lighter part remains just where it did, and the present term of copyright is accordingly already extended beyond the period in which that is likely to be much affected.

With regard to the second classification, we have no data quite so precise, though we are far from having none. It will be necessary, however, that we should here again discriminate between those standard works, which at the period of publication are in sufficient request to receive an extensive and present sale, and those in which the demand is so small, that it is in the length of its continuance alone, that profit can be sought.

The encouragement to the production of the former involved in protection just as well as to that of the latter, will be proportionate to the remoteness to which protection is carried; but then there are degrees in encouragement, and that which may be essential to the very existence of one, may be only auxiliary to the other.—Thus with respect to the former, though protection did not embrace the whole period of return, to which calculation was capable of reaching, it might yet embrace a term, within which, by the rapidity of circulation, sufficient profit could be made to operate as a motive to produce; and this up to a certain point there can be little doubt the existing time

* Minutes of Evidence, p. 54. 1818.

† Ibid. p. 45.

does embrace. The number of works of this class which daily issue from the press, and what is still more the circumstance, that so many of them go through numerous editions in a comparatively short space of time sufficiently establish the fact. Utterior protection would increase their number, and improve their quality; still protection would be simply auxiliary.

But we believe that which is only auxiliary with one class of standard works, is in strict reality essential to the existence of the other,—we mean of course on an adequate scale. No man, when profit is the object, would turn his attention to any thing but that which would procure him the most, yet Mr. Murray being interrogated by the committee of 1818—

‘You have stated that the demand of books, and the consequent remuneration to authors, is in many instances greater than it ever was. The committee would ask you whether you think that the remuneration for such works as would demand many years to compose, and of which the sale could not be rapid, has increased in any degree whatever? Answer,—As far as my own experience goes, I fear not.’

Now the compilation of far the larger portion of books of the class to which we are alluding, is attended with prodigious labour and almost incalculable expense.

‘It is not easy,’ says Mr. Maugham, ‘to estimate the labour and expense of a work of superior utility and importance. It demands a degree of research and care which can scarcely be bestowed whilst the law continues in its present state. Besides the works which are costly in their embellishments, the scientific and literary labour which many of them demand, can only be encountered where there is no apprehension of restraint. Thus in works of great historical scope—the investigation of ancient as well as modern manuscripts and records—of scarce documents, ill-digested and repulsive works—of conflicting evidence—all these demand not only great judgment and accuracy in the winnowing of large masses of materials, but superior skill in adopting the best arrangement, and selecting the most appropriate language and illustration—and without the devotion of much time and leisure, the greatest talents cannot execute the work in a manner proportioned to its magnitude and importance.

‘Again, in works of a philosophic and scientific character,—should they comprise subjects of striking originality, the invention of a new system—the task of experiment and induction may require a still wider range of exertion and longer continued perseverance, which it is vain to suppose will be often bestowed without superior recompense.’—p p. 192—3.

Of the degree of labour, we may quote as a specimen, Taylor’s *Hebrew Concordance*, which was fifteen years in its composition; and the philological work referred to by Johnson, in which the French critics (and labour in books is not lighter in England than in France) were engaged for fifty years. As to expense, Mr.

Lysons, when asked whether the researches preparatory to the publication of his *Roman Pavements* were not very expensive, replies "Certainly, very expensive. When I mentioned the expense of £.6000 which it cost me, I did not put down my travelling expenses; nor the expense of employing labourers for a year together in the same place, which alone would amount to a large sum." Mr. Longman stated that Rees's *Encyclopædia*, when only two thirds were completed, had literally cost the proprietors no less than two hundred thousand pounds.* On a large proportion then of the whole class of standard works, and in its second division most especially, the remunerating price must be extremely high, while purchasers diminish pretty much in the ratio of the price. It is impossible, therefore, that this division can come into circulation at any other than an excessively tardy pace; and though with the tortoise in the fable, steadiness may ultimately make up for want of swiftness, with the tortoise also, some time there must be.

The standard works would be principally affected by the duration of copyright, and of course by the class of which the sale is the slowest, would alteration be most severely felt. Now it appears that the copyrights of Johnstone the bookseller, which previously to the decision to which we have alluded were valued at between eight and nine thousand pounds, were by that very decision depreciated one fourth.† And the committee of 1818 say in their report, that some such depreciation had occurred in numerous instances which had come within their observation.

We have proof even more direct than this, in the common experience of the trade, and the fate which works of this description have actually encountered. Mr. Davis, the bookseller, being asked in the committee of 1813, in reference to works of solid literature, "Is that the most successful part of your trade?" replies "Unfortunately not; generally speaking, the best books are the least profitable." [p. 27.] In 1818, Mr. Taylor (than whom it would be difficult to find a more competent authority) states before the committee, "I think that all the most important works which furnish the materials for the advancement of the sciences, are those by which the least is gained, or I should say rather, the most is lost by those who undertake them." [p. 24.] And again in allusion to the possibility of getting a *Corpus Scriptorum Rerum Anglicanum*, he observes—"Probably we might labour *many years* to get subscribers enough to cover the

* Minutes of Evidence, 1813, p. 11.

† Parliamentary History, vol. xvii, p. 1083.

cost." [p. 25.] The produce of the whole sale of the "*Scriptores Logarithmici*" of baron Maseres, a collection of very valuable mathematical tracts, reprinted at his expense, literally did not, for some time after publication, for aught we know have not to this hour, paid the expense of the presentation copies.

In Germany, copyright is perpetual, and it is to that very circumstance that the writer of the article on copyright in the Supplement to the *Encyclopædia Britannica*, attributes it, that there are there more works of lasting use, than in any country in Europe. "Compare their works," says he, "in statistics or geography, with those of France, England or Italy, and we shall be surprised at their superior research, and their careful examination of the necessary documents." In France, copyright is as yet limited to ten years from the death of the author, with a contingent extension to his widow for life, and to children for twenty years, from the death of the survivor. And, accordingly, in drawing the contrast between Germany and France, Mr. Maugham asks—

'Does the perpetuity of German copyright render the writers of that country less original or profound than those of France? Does it tend to a superficial manner of writing? No! we believe there are of late years more great and original works of enduring excellence published by the German press, than by that of any other country.'—p. 16.

"It will be observed, that in France this comparatively contracted proprietorship is far more prolonged than our own; yet even this has been felt by the nation, as a restraint upon its rising intellect; and, at the close of the year 1825, a commission was appointed by the legislature to review the whole state of the law of literary property. The commissioners recognised the principle of perpetuity, but in consequence of an objection which presented itself in the difficulty of ascertaining when an abandonment of the right had taken place (which in the absence of their information on the point, we confess we do not feel) their labours ultimately terminated with a recommendation to establish fifty years from the death of the author, as the period of proprietorship.* A draft of the law to that effect, accompanied the report; but we believe the pressure of other matters has yet prevented its presentation to the consideration of the Chamber.

What would be the least requisite extension to the present term, to change this position of discouragement, it is impossible exactly to determine. Were we to fix an arbitrary period, we certainly should not take a shorter one than that which we have assumed, as the limit to ordinary speculation, namely, fifty years

from the death of the author—and for this, we have the sanction of the French commission.

We have then ascertained the extent to which the existing state of the law affords encouragement to production. We have seen, that in no instance does it embrace the sentiment, or the calculation of the remote chances which form part of the motive to produce: that with this exception, it affords all the encouragement necessary for the ephemeral works of the day. That with respect to works of more solid learning, it yields to one class a considerable, though not a complete encouragement; to the other, only a small proportion or none. That while a term of fifty years from the death of the author, may reasonably be supposed essential to the latter, it would be a valuable auxiliary to the former; but that with reference to the whole, the establishment of a perpetuity is the only means to secure all the motives to productions to which legislation can properly be made available.

It is necessary that we here notice two objections which have been made to a perpetuity; though we notice them rather from the solemnity with which they have been put forward, than from any intrinsic title to respect.

To establish an exclusive and perpetual property in a work, it is said, is to erect a dangerous power—1st, in the proprietor, in enabling him to suppress valuable works; 2nd, in the government, in affording it the opportunity of keeping out of circulation, every book capable of opening the eyes of the people to their own misrule.

Now with reference to the first, we would observe, that in ninety-nine cases out of a hundred, nay, in nine hundred and ninety-nine out of a thousand, when a man has once composed a work, every motive, save his printer's bill, conspires to make him publish; and having published, if it be sought after, to keep it in circulation. If it be not sought after, we presume, little harm will be done by the proprietor's having the power of ranging along his own library shelves, for his own private perusal, and that of his "rising generation," the few hundred impressions which may hang on his hands. The Laureate, indeed, having in the days of his darkness, composed a satirical poem, which, by the grace of God, and the sunshine of royal favour, he subsequently discovered to be seditious, made an unsuccessful effort to reclaim the same. But though the one sinner who repenteth be better than the ninety and nine who went not astray, we suspect that small is even the number of sinners, whose penitence would thus induce them to wipe out the stains of their guilt; and *à fortiori*, we cannot conceive why

the ninety and nine should hesitate to allow their good works "to shine before men."

"The other objection is, if possible, still more wild. The legislature possesses means pretty ample for the purposes of corruption. But if they were once to set out with the principle of buying off all attacks upon them, on every sound principle of economical science, the increase of the fund devoted to the purchase of labour would go on calling new labourers into existence, until at last the interest of the national debt, nay the principal itself, would not be sufficient for the purchase. Fortunately, after a long schooling, governments have at length learnt the salutary lesson taught them by lord St. Alban's, that "a forbidden writing is a spark of truth that flies up in the faces of those who seek to tread it out." The fact is, both objections, though differing in degree, are in principle equally objections to any the most limited period of proprietorship, and the short answer consequently is, that, in the experience of a twenty-eight years term, no such mischief has in reality been produced. Of Cowper's poems, there were on sale at one time, and that before the expiration of the copyright, no less than five editions.

Having then ascertained the extension of time most conducive to production, let us on the other hand, examine how far the same extension would operate upon price. Obviously price could only be effected in the ratio in which extension would embrace the duration of the books themselves. Any protraction, therefore, of the existing term would have on the great majority of the first classification of works no effect whatever; and these, we have seen, form by far the largest proportion of all that issues from the press—The importance of the smaller proportion nevertheless amply makes up for their want of number.—But what are the circumstances by which the price of books is regulated?

Of the elements of price it will here be sufficient to treat of the author's remuneration.—Now, in all other productions of man's labour the remunerating price is that which will return the ordinary profits on capital. For mental productions there is no such universal standard; and the amount paid to the producer is simply adjusted by the measure of his demand on the one hand, and of that of the public on the other. And this will be equally true whether he take on himself the risk of the work, or it be brought to market by a publisher, as the competition of publishers will insure to the author all the amount which it is calculated the public will submit to—less profits on the publisher's capital, including an allowance for the chances of the

work's not succeeding. But in the exact ratio in which the sale of copies is multiplied, will the price necessary to produce this sum decrease.—The larger, therefore, the extension of the term within which profit can be made by sale, the smaller is the price at which a book can be sold. Supposing nothing short of one thousand pounds, or an annuity to that value, for some longer or shorter period, would be sufficient to induce an individual to compose a work of which the public stood in need, and that it was calculated the book would continue saleable for twenty years, and at an equal rate.—If ten shillings were the price necessary to yield the requisite return under a restricted ownership of ten years (making allowances for calculations as to interest, &c.), it is plain that if the time were extended to twenty years the book might be sold at five shillings. Nor is this all; the longer the term the greater will be the opportunity of retrieving the mischief of miscalculation. Suppose on the other hand the public preferred to place their gain in quality, and were accordingly willing to give the author the benefit of the prolonged circulation—"It is obvious," as is observed by Mr. Maugham, that "if the period were extended, a higher remuneration might be afforded for works of superior importance on account of the enduring nature of the property in them. The profit it is true might not be rapid, but its unlimited continuance would generally in the result compensate for the advance of a larger amount of capital."* [p. 194.] Swift may have looked upon Prince Posterity as a character very deserving his consideration: but it is not in every man's eyes that he is a potentate of so much importance; and we must remember, therefore, the more we curtail the period of proprietorship, the more we impoverish ourselves to enrich his highness.—It is idle to conclude from the circumstance that, if there were no proprietorship to make the amount paid to an author an element of price, the shorter the time of ownership the sooner could the book be sold for the mere expense of printing; since in either event, as far as gain entered into the motive to produce, there would have been, *pro tanto*, no production.—And such is literally the fact with that class of works to which, as we have seen, the contraction of the present term, conduces so materially to keep out of existence.—The argument could be applicable only to works already in existence, and of those by far the larger portion have now no

* It may be necessary here to guard against misinterpretation. We do not mean to say that were we to double the time, we should get every book either exactly at half the price or twice as good. Of course there are modifying circumstances which it is not necessary here to allude to. We are only endeavouring to illustrate the principle.

longer any owners to claim the benefit of the extension, or the ownership is gradually wearing out.

But though the price paid by the public has no other limit than the urgency of their demand, the same principle of competition, which, in the market of common commodities, prevents the price from ranging above the point of average profit, does, with the productions which enter the literary market, insure a satisfaction to that demand at the lowest price which presents an adequate temptation to produce; and that even though the copyright be in the possession of a publishing or bookselling capitalist. People, therefore, when they attribute to copyright the dangers of a monopoly price, reason on the assumption of an analogy which has not the most remote existence. It is a part of the progressive scheme of the human mind that truth should unfold herself, not in sudden bursts, but in a gradual train of development. The few scattered thoughts of one age are combined, improved on, and extended, in the next; and these again in their turn, embodied in the maturer wisdom of the age which succeeds.—Still each treads closely on the heels of the other: and in our own, particularly, we see science, philosophy, morals—every thing, in short, on which mind can exercise itself, making the most rapid advances. There is consequently scarcely a department of our literature for which every year, does not bring forth some new book to swell the formidable competition which will in all likelihood have antecedently existed among the works which illustrate it; and, formidable indeed must be the effect of a competition, many of the competitors in which not only care not for gain, but are *satisfied to lose*.—"I have printed," says Mr. Taylor, "works for a number of learned men, some of whom have been contented, to lose on the sale of the whole impression; to go to press with the work, when they were sure, if that impression all sold, they would not be paid the money they must expend, or with a conviction that they would only just be paid,"* True it is, "the great globe itself" may dissolve ere another Shakspeare shall arise to rival the last; and, though new Shakspeares, Miltons, Shelleys, Byrons, were to spring up, the result might be rather to whet still more strongly the public appetite for the works of each, than to supplant any one of them.—But the laws of nature must be reversed before these splendid phenomena can be of any thing but the rarest appearance.—The infinite majority of all that is published is no more than the result of the patient persevering exercise of powers common to most men.—It is by his industry rather than his genius that man

* 1813. Minutes of Evidence, p. 31.

advances in his intellectual career, and his relation with the moral world differs but little from his condition with respect to the physical—"In labour alone shalt thou eat of the fruits of the earth."

Were then the genius of Monopoly ever so exorbitant it might be assumed from antecedent reasoning that he would not have ~~the power~~ to do much mischief.—But we are not thrown back upon speculation. There is good evidence, "taken before the committees" of 1813 and 1818, that the "reading public" is a very hard customer to deal with.

Mr. Longman.—"If a book were price five guineas, £5. 10s. 0. would be an awkward price, other prices would be still more awkward; but in fixing the price of a book, a small sum will sometimes determine the sale of a book, which shall vary more than that small sum shall appear precisely to call for."

Mr. Baldwin.—"Is it usual for books to be published at any other price than even shillings or sixpences?—It is not.

"Then you could not put on a shilling or two upon the price of a certain amount, with propriety?—It could not be done.

"Do you think that where the publishing price of a book was half a guinea, the addition of 6d. would materially affect its sale?—In many instances it would affect the sale, but not very generally in that proportion."

"Would the difference between 21s. and 22s. upon the price of a book affect the sale?—Twenty-two shillings is an awkward price; we should be induced to say 21s. even if the just demand was 22s." In this particular emergency he has however a good way of getting out of his dilemma, for he adds:—"Probably we should get up to 24s.!"

Mr. Murray.—"Would the addition of 1s. to 20s. distributed over a number of volumes of the work, deter a single purchaser?—I am confident that it would be a very great hurt to the sale of the whole work, for a guinea is a peculiar sum, which often deters purchasers.

"Would the addition of a shilling to the price of a book, supposing it to be 43s, 44s, or 45s, deter a single purchaser?—The Committee must be aware that the bookseller naturally puts the highest price upon his book, taking care not to diminish its chance of sale. In an edition of that sort, I should conceive it hurtful to my interest, and would deter purchasers, if I charged more than I thought the book would fairly bear."

Mr. Murray moreover seems pretty well alive to the advantages of an author's not setting too low a price on his labours, for he afterwards observes:—"I should take care, however, not to put too low a price on the book, so as not to depreciate the intrinsic merit of it in the estimation of the public, which a higher price would indicate—I should take care to avoid that."

We presume the narrowness of the present term has no peculiar tendency to improve the public in criticism.

This it will be remembered takes place even under the existing condition of the law.—But the fact is that very condition gives birth to practices for evading its consequences which literally to some extent shut out the public from the natural benefits of competition.—The first is thus described by Mr. Maugham :

‘The proprietor of the copyright prior to its expiration takes care to prepare a new edition *with notes*, and though the original work becomes common property, the notes are protected on the ground of their constituting an original composition. By a sort of *Combination* also amongst the principal booksellers, these renewed editions “with notes,” receive a preference over others.’—p. 191.

The other is a sale effected towards the end of the twenty-eight years among the booksellers themselves, the purport of which is to interest the trade at large in the preservation of the property. The work intended to be sold is put up at a booksellers auction in shares generally sixteenth or thirty-second shares, and disposed of among a number of different purchasers, who all thus become interested in supporting each other and in discouraging the sale of rival editions. In this manner the property in Cowper’s poems sold in 1812 for four thousand one hundred and sixty pounds.*

Though in the question of price, we have hitherto been only looking at the remuneration paid to the author, we must not overlook that which, in all costly works, and those of which small impressions are printed, must inevitably operate most materially to its enhancement,—we mean the library tax.† But, a tax, however large, may be justified by its ends; and Mr. Christian, who is the great champion of the libraries, describes the one in question—“but an equitable tax upon the republic of learning for the benefit of learning itself.”‡ With deference to the learned professor of law, whatever might have been the case had the government of learning been a limited monarchy, his principles of an *equitable* taxation, are not a wit applicable

* Article Copyright in the Supplement to the Encyclopædia Britannica.

† On Murphy’s Arabian Antiquities of Spain (with the exception of the few lines of descriptive letter press which subjected it to the tax), a work *purely of plates*, the tax, at the publishing price would have amounted to four hundred and forty guineas! (*)—Ex uno disce—not omnes—but a great many.

‡ Vindication of the right of the Universities, p. 12.

(*) Petition of Messrs. Cadell & Co., the publishers of the work.

to republics. His expression is a little vague; but he means to say, that to deposit books in a certain number of quasi-public libraries would, as Mr. Maugham has put it—

‘be beneficial to literature in affording to men of literary talents and industry the means of information, and enabling them to accomplish works of the highest merit and ability’.

~~As to~~ the equity of the tax, we have previously given our own opinions. We cannot, however, resist subjoining the answers given to it by Mr. Maugham.

‘This is too barefaced an excuse for injustice; it is robbing Peter—not to *pay* Paul—but to enable him dishonestly to live at the expense of Peter. The men of “literary talents and industry,” who *have* accomplished works of merit and ability, are to be deprived of their profit, where any exists, in order that others may avail themselves of the results of their industry *gratuitously*.’—p. 199.

But to what extent do the means accomplish the end? Analysis is necessary to every department of this question; and here again we must draw the distinction between works of common circulation, and those which are of a rare and expensive character. To the individuals who happen to reside in the neighbourhood of the libraries, and have ready access to them, it might undoubtedly be an advantage to have even the former deposited there; but we do not think it is found in practice to be a benefit of which such individuals care to avail themselves much. Even if they did, the personal convenience of a few—a very few lay individuals is little to the point; and, as far as authors are concerned, of those who make a prospective engagement with a publisher, it is generally part of their bargain that they should be furnished with the books they require in the course of their labours. Thus it is, that the Rev. T. K. Dibdin, who has had some experience in the matter of authorship, stated before the committee of 1813—“the works delivered in public libraries, as far as I can judge, are very little consulted*”—and in this he was completely confirmed by Mr. Lysons, who is an author even of expensive works.

‘The committee wish to know whether the far greater value of public libraries does not consist in the manuscripts which they contain?—Certainly.

‘And whether the next part of the value of such libraries to authors does not consist in rare old books which are not easy to be had in other places?—Certainly.

‘And whether it be at all common in the public libraries of this coun-

* Minutes of Evidence, p. 25.

try for men of letters, and for many writers of important works to be engaged in reading books in such public libraries, as materials for their compositions?—*I should conceive that it is very seldom the case, except an author has occasion to make reference to books of rarity.**

We are not, however, attempting to deny that there are great and numerous advantages to a country involved in the possession of libraries which would be the depositories of every species of literature; and most sincerely should we rejoice to see a national library established in each metropolis of the three kingdoms. But then such libraries should be public in real verity, and not possessed of that mongrel sort of publicity which characterizes the greater part—perhaps the whole—of those for which this tax is now levied; and should be imbued with as much of the character of *circulating* libraries as it would be possible to give them. As to the books themselves, however, we most cordially agree with Mr. Lysons, that—“the manner in which these libraries should acquire them is quite another thing.”—Of course there can be but one honest way, and that is by means of a national taxation.

There is abundant evidence to prove that the existing mode of taxation, even though it attained its specific object, produces a mischief for which, we apprehend, success in the other matter could scarcely atone.

‘I have known cases,’ says Mr. Taylor, ‘where authors were willing to publish important works, the sale of which would just repay them; but they said they could not afford to lose the eleven copies, and their works have appeared to me of the greatest importance for the advancement of knowledge.’

‘Mr. Longman.—Are there not many works which possess considerable literary reputation, of which only small impressions are taken?—Certainly. If the profit of eleven copies was taken from those works, would it not tend to discourage the publication of many such works?—I have no doubt that it would.’

‘T. Platt, Esq.—According to your experience in the publication of this work of Dr. Sibthorp (a valuable botanical work) do you not conceive that the gratuitous delivery of eleven copies would render any work of magnitude entirely impossible to be published by any individual with expectation of covering his expenses?—Yes, I do verily believe it; a work of that value I should consider it impossible to publish. The right of exacting eleven copies appears to me an *extinguisher upon splendid and expensive works.*†

Thus much for Mr. Christian’s doctrines of republican taxation. With their exposition, we draw our labours to a close;

* Minutes of Evidence, p. 52. 1818.

† Minutes of Evidence in the two Committees of 1813, and 1818.

though not, we think, without having shewn, that if the practice of even-handed justice towards all its members be a wholesome principle of action for a state,—if it be conducive to its well-being to encourage the intellectual labour to the utmost, to enrich it with the precious fruits of his industry, and to place those fruits most within the reach of all—then are our laws of literary property at variance with the best interests of the community. It was observed by one who had studied mankind deeply—"Revolutions of ages do not oft recover the loss of a rejected truth, for the want of which whole nations fare the worse,"—and fortunate would it have been, if on the many occasions on which this question has been before the legislature, *that* truth had not sat so lightly on it. Whether our legislators will again have the opportunity of displaying any increased conviction of its reality, we have no means of telling; but there are at least a few of them who have their country's welfare at heart, and surely they could not engage in a more important undertaking, one in which success would yield to them, if not more splendid, at least more cheering results, than that of seeking to remodel laws, which so deeply affect the interests of literature, on the footing most conducive to the advancement of knowledge. Let them not be disheartened by the want of success which marked the attempt in 1818. Condorcet has well observed, "*Le hasard des événemens viendra troubler sans cesse la marche lente mais régulière de la nature, la retarder souvent, l'accélérer quelquefois.*"* Assuredly "*Le hasard des événemens*" has within this last ten years, wonderfully accelerated our own march in the career of civilization: and should success therefore not attend the effort to the very uttermost, it is scarcely possible that it could altogether fail.

Though standing as part of the title to our article, we have in the course of our discussion said nothing on the subject of mechanical inventions, partly because it would have created an inconvenient distraction to our arrangement, and partly because we had, in reference to them, comparatively few materials to work up. In concluding, however, we can only say that all the leading principles by which that which was our more ostensible subject is governed, are equally applicable to mechanical inventions; and we trust, that should the question of literary property be again brought before parliament, these will not be left behind.

* *Esquisse de Progrès des l'Esprit Humain*, 43. |

ART. XII.—*The Atlas*. No. CXLIX. March 22. 1829.

IN the last number of the Westminster Review an account was given of the Daily Newspaper Press. In noticing the Weekly Press, we shall confine ourselves to those publications which bear the name of Sunday Papers, and to the Literary Papers, which appear on Saturday. The Sunday Papers now published are the Atlas, Advertiser, Age, Bell's Messenger, John Bull, Catholic Journal, Despatch, Examiner, Englishman, Life in London, News, Observer, Sunday Times, Sphynx, Spectator, Weekly Times, Weekly Free Press, and Weekly Courier. Most of these papers have two distinct publications—one on Saturday afternoon for country circulation, the other on Sunday morning; and some have a third publication on the Monday, with the markets of that day. Until lately, we believe all the Sunday papers had Saturday and Sunday editions; but an arbitrary interference of the Stamp-commissioners, or rather of the Stamp-solicitor, has induced the proprietors of some of the papers to discontinue their Sunday edition, unless extraordinary news arrives on Saturday evening or Sunday morning. The Stamp-solicitor now requires a double duty upon the advertisements which appear in the two editions; so that if a weekly paper, bearing the date of Sunday, and publishing an edition in the morning of that day, sends away any portion on the Saturday night, the government receives upon every advertisement a duty of 7s., instead of 3s. 6d. Now as some of the Sunday newspapers of even large circulation do not send one eighth part of their number into the country on Saturday, and as the transmission of any papers on that day is a great accommodation to distant readers, there being no post on Sunday, the oppressiveness of this regulation will be immediately seen. As it now stands, a newspaper containing sixty advertisements must either pay to the government for permission to add a single line to the edition printed on Saturday afternoon (and what newspaper bearing the date of Sunday can succeed if it contain no intelligence of a later date than Saturday morning?) the sum of ten guineas weekly, in addition to the ten guineas already paid upon the same advertisements, or confine its publication entirely to one day. If, indeed, in this, as in some other countries, where as much true religion, but less of the mockery of observance prevails, the proprietors of Sunday newspapers could send away their copies by the post on Sunday afternoon, there would be no reason for their publishing any portion on Saturday; but as they have not such facility, it is a great hardship upon them to be compelled

to appear on the Sunday with no more news than they had on the Saturday, or to abandon their Saturday edition altogether. This regulation is a great detriment to the property of newspaper proprietors, and a great impediment to the enjoyment of newspaper-readers. The denial of the services of the Post-office on Sunday is in itself alone a great hardship. ' If there were a post on Sunday, intelligence of many hours later date might of course, be spread over the country, than can be forwarded on Saturday ; and, instead of paying a further tax to government, Sunday newspapers really would appear entitled to some remission of that which is fixed by law, to counterbalance the inconvenience ; but that a newspaper containing one hundred advertisements (and there are three or four Sunday newspapers in which the number in each is always greater than this) should have a further arbitrary imposition laid upon it of nearly twenty pounds, appears nothing less than a violation of the rights of property. For a portion of the evil, ingenuity has provided a remedy. The puritanical regard for the sacredness of the day, which interdicts the ringing of a postman's bell, or the postman's knock at the door within the bills of mortality on a Sunday, does not extend beyond those boundaries. At a distance of ten or eleven miles from the metropolis, the Post-office duty goes on as on other days, without any striking demonstrations of the evil effects of such violations of the Sabbath, and letters are sent and received as during the other parts of the week. If a newspaper proprietor desire to send into the country on Sunday a quantity of newspapers—no matter how large, he has only to forward them by a messenger to the first post-offices without the bills of mortality, such as Barnet, St. Alban's, Kingston, &c. ; and there, at any time before 8 o'clock in the evening, his papers are taken in, and they are on the same evening duly forwarded. But the transmission of newspapers in this way is too expensive to be resorted to as an ordinary practice. The power of so sending them, however, should teach a useful lesson to the authorities who create this difficulty, and then tax those who use the only remedy open to them of obviating in some degree the inconvenience.

Of the Sunday newspapers now printed, very few are of ancient standing. The oldest, was the Sunday Monitor, which has at length disappeared, and the next in date is, we believe, Bell's Weekly Messenger, a paper which has been more fortunate than the Sunday Monitor, although it is probably much less valuable than it was, when there were so few able competitors to contend against. This paper was started by Mr. John Bell, a gentleman who has had much to do with newspaper speculation. The Weekly Messenger must at one time

have had a very extensive circulation; it is still a very respectable, and probably a profitable paper, but its profits must have been encroached on, since the period when the industry and exertion which gave it a name, were almost limited to that one establishment. The comparatively trifling risk at which a Sunday newspaper can be set up, and the success which attends some of the speculations in this way, will always bring fresh competitors into the field, and compel the conductors of established papers, to incur new expenditure, to prevent injury to their property by the exertions of their rivals. To set up a daily paper, it is necessary to have excellent premises, a good stock in trade in the way of types and machinery, and an able corps of editors, reporters, &c. In a daily paper, whatever may be the talent of the conductors, there must, for a great length of time, be a loss of from 100*l.* to 120*l.* weekly, if the extraordinary expenditure necessary to propitiate success, be not neglected: a Sunday newspaper may be started at a day's notice, without the outlay of one shilling for type, as it can, with no considerable inconvenience, be printed by contract, which could not be done with a daily paper, and without an engagement of any kind, to which a termination could not be put in a single hour. The actual expenditure of a good weekly paper, may be brought within 20*l.*, and there have been instances of the returns yielding, within the first year, a profit of three to four thousand pounds. Such instances are indeed rare, but they are of sufficient frequency to lure on speculators who begin newspapers as some men purchase a lottery-ticket. The *John Bull* was one of these extraordinary instances of good fortune. This paper was started during the late Queen's trial, with little more preliminary announcement than a few advertisements and a prospectus, copies of which were distributed in the streets of the metropolis. So cleverly was this prospectus written, that thousands of those to whom it was given, fancied that a good sound radical reform newspaper was about to make its appearance. The title, too, kept up the delusion. The demand for the first number was very great, indeed, but such was the rage of some of the purchasers, even among the newsmen, who do not generally care much about the politics of a newspaper, that whole quires of papers were publicly burnt. The object, however, had been attained: publicity, without which no new undertaking can succeed, had been given to the *John Bull*, and in less than a month, the proprietors of that paper, not only had no losses to pay, but they are said to have shared a handsome profit. Who these proprietors were, has not transpired in such a way as to enable us to speak with confidence. Whoever they were, they contrived to keep their own secret,

and were content to prefer the profits of their speculation to the honour which could result from the open association of their names with the concern in question. Unfortunately for the interests of justice, the law permits the proprietors of newspapers to shelter themselves from the consequences to which they would be exposed, if their names were made public. Before a newspaper can be started, it is necessary, according to the provisions of an act of parliament, that the name of one proprietor, at least, should be entered at the Stamp-office, and also the names of the printer and publisher. The proprietor so registered, swears to the property of the paper being vested in him, and no further inquiry is made. Let us imagine that this registered proprietor, is a mere man of straw, who has no real property in the paper, but who may be a person employed as publisher or printer, or in some other way, with an increased salary by way of compensation, for the risk that he incurs of imprisonment for the offence of libel. The paper which is so entered at the Stamp-office, may contain a hundred libels against private character, and no prosecution may be instituted against the nominal offender, from the repugnance which is naturally felt against punishing a hired agent, when it is impossible to detect the real slanderer. It is not so much that compassion is felt for the willing instrument of obloquy and wrong, but that the blow of indignation cannot reach the really guilty. And it must have been observed, that the purest and the noblest minds, are the last to resent the attacks of the press, however gross and violent. Borne aloft by the buoyancy and dignity of their characters, they are more indifferent than others to the black streams of calumny which roll beneath them. To such an extent has this system of entering nominal proprietors been carried, that instances are known of the property of a newspaper standing in the names of females, whose places of residence are unknown, and who have not an interest to the extent of a shilling, in the property which they have sworn belonged to them.

Of the circulation of the Sunday newspapers now published, we have no details which can be so far relied upon, as to enable us to speak with complete confidence as to particular establishments. In round numbers, however, we can assert, that there are printed on Saturday and Sunday, of the papers called Sunday Papers, not less than 110,000 copies, without including the numbers printed in two or three establishments on the Monday. The sums paid to the government by these papers in the way of stamps, duties on the advertisements, and Excise duty on the paper, exceeds 92,000*l.* per annum. Yet this sum, large as it is, does not satisfy the new Stamp-solicitor

for he has given notice, that he will charge an advertisement duty of 3s. 6d. upon every paragraph, announcing an intended meeting or dinner at any house, although the proprietor of the paper merely inserts the paragraph in the way of news, and charges nothing himself for the insertion. The editor of Bell's Life in London, a paper which is said to print 22,000 copies weekly, and which therefore must pay a large sum in the way of Stamp-duty, states, that the charge has been really made upon him, and that he has no means of resisting it. 'Indeed, in these cases, the will of the Stamp-solicitor is the only law. He has the commissioners on his side, and an attempt at resistance, would end in an expensive discomfiture.

Of the Sunday newspapers which now appear, more than four-fifths are liberal—only three, the John Bull, the Age, and the Old Soldier,* are downright ultra in the true old meaning of the term; and it appears from the most authentic account of the respective circulation of these papers, that can be obtained, that as far as mere numbers go, the purchasers of liberal papers are, compared with the purchasers of anti-liberal papers, as nine and a half to one. When it is considered that the Sunday newspapers circulate chiefly among the middling and lower orders, this fact will be taken as one of great interest, and at this moment of great importance. The anti-Catholics may assemble in the open air, and by bringing to them all that is ignorant and disreputable in society, may assume an appearance as to numbers—they may get up their petitions, and by the influence of hot-headed magistrates, and fanatic clergymen, procure the signatures of paupers in work-houses, patients in hospitals and lunatic asylums, and children at charity-schools, but what becomes of their boasted numerical majority even among the lower classes, if we refer to those who are able to read and to judge for themselves, when we find the liberal Sunday papers of the metropolis, circulating in the country in such an enormous proportion in favour of liberalism, reform, and religious freedom. It will be said, perhaps, that this is only the case in London; certainly the lower orders of the metropolis are better informed than those of some parts of England where priesthood and magistracy have kept them in ignorance; but that in the country generally, there is a vast preponderance on the side of liberality, may be judged of from the fact, that of the 250 papers, or thereabouts, printed

* The Old Soldier has disappeared since the above was written, so that there are only two real anti-liberal Sunday papers—the Age and the John Bull; on the Catholic Question, however, we are sorry to say, Bell's Weekly Messenger is on the intolerant side.

out of London, the proportion of liberal papers is as four to one at least over those of an opposite character. This calculation was made very lately, when the Provincial Press was less liberal than it has since become. Perhaps we might with great safety now take the number of papers, as four and a half to one; and if we take into consideration the number of copies circulated by each, which is of course the only fair criterion, the proportion will not be very much under the average of that of the metropolis. How much are the present ministry, and the friends of Catholic Emancipation, indebted to the London and Provincial Press, for the success which has crowned their labours! But for the newspapers they might have laboured in vain for ever. A great deal of ignorance prevailed in the mass of the people, and, sad to say, many of the educated and influential persons in the country, seemed more disposed to perpetuate the ignorance of the multitude, than to give them the benefits of knowledge, and the advantages of discussion. The school-master however got abroad—newspapers multiplied in number, and rose in talent—the public mind was gradually prepared for a change, and when the change came, instead of the loud cries and clamours of “No Popery” mobs, we had only the passionate outpourings of a few discomfited Brunswickers.

Many of the Sunday papers are conducted with a degree of talent, which would surprise the proprietors of the Sunday newspapers of the last century. If we would have excellent and scientific criticisms on the Drama and Music of the day, we have only to turn to the pages of the Spectator, the Examiner, and the Atlas, and we shall there find articles which would not disgrace the pens of the first writers of the age. We may find talent and brilliancy, also, in the ranks of the anti-liberals. The John Bull and the Age are not without their piquant wit and brilliancy, operating we doubt not as a stimulant to the exercise of sound principles and arguments in the friends of liberty.—Altogether the Sunday Press is highly respectable, and from its influence over the middling and lower classes, is of mighty importance.

The mechanical improvements of the last few years in the Sunday Newspaper Press have more than kept pace with those of general arrangement: they are now for the most part of very large size, are printed with excellent type, and, from the use of machines* for printing, are delivered at a very early hour on the morning of Sunday to the newsmen, with full reports of the

* The following notice of machines for printing appears in an early number of the *Mechanics Register* :—

proceedings in the Law and Police courts of the preceding day. To what an extent competition is carried amongst them, will appear by a glance at the number of the Atlas, to which we have referred at the head of this article. This Periodical was started about three years ago; and from the first has been printed upon a much larger sized sheet of paper than had ever before been used for newspaper purposes. The novelty of the plan with the real facilities which it gave to its projectors of supplying not only all the news of the week, but also a great portion of literary matter, secured for it a fair share of public favour, although its price (one shilling) was beyond the charge ever before made for a newspaper. Looking, however, at the size, and considering the quantity of original and expensive matter which the paper contained, under the able management of its original editor, surprise has often been excited that it should have answered the views of those who started it. Its having so answered, is a satisfactory proof of the extent to which the reading public will encourage good periodical publications. But, if the size of the Atlas in its ordinary form be colossal, what must be said of the number of Sunday, March 22nd, which was of double the usual size, thus making it in length 5 feet 3½ inches, and in breadth nearly 4 feet.

We have already stated that the double sheet system was introduced by the Times newspaper as an evasion (and a very laudable one) of the extra stamp-duty for a supplementary sheet. It certainly is rather hard upon the proprietor of a newspaper, that when there is a press of matter he may not be allowed to print an extra sheet at his own expense of paper and

“ Previous to the introduction of machines into the business of printing, the press department was one of great labour and difficulty, and the number of copies of a newspaper which could be printed within the hour, seldom exceeded seven hundred and fifty, even with extraordinary exertion. The consequence was, that in newspaper offices where the circulation was extensive, it was found necessary in order to get the paper published in time, to compose two or more copies, so that by going to press at the same time, the demands of the public might be complied with; thus occasioning an enormous increase of expenditure both in the compositors’ and press departments. In a newspaper circulating seven or eight thousand copies, this expense annually could not have been less than 2,000*l.*, all of which has been saved by the introduction of machines, which are worked by steam or hand. We are informed by one of the proprietors of the *Constitutionnel* Paris paper, that their annual saving from the use of a machine is more than 80,000 francs (between 3 and 4,000*l.* sterling) at which we are not surprised when we consider that the number of the *Constitutionnel* is about twenty thousand copies daily, and that to get it out in time, it was necessary to compose eight duplicates.”

labour for gratuitous distribution to his subscribers, without paying to government an extra stamp-duty for every sheet so printed, and it is gratifying to find that this tyrannical and absurd tax can be thus evaded. We say tyrannical, because it is an arbitrary interference with the enterprising spirit of newspaper proprietors; and absurd, because, by encouraging rather than repressing the use of such supplements, the government would derive a large addition to the revenue from the Excise duty on the greater consumption of paper. The present plan, although attended with great additional expenditure, and increased labour, with much loss of time (for in working a double sheet it has to be folded and passed twice through the machine) still effects a large saving. It is not, therefore, improbable that the government may interfere and get an act passed for limiting the size of the sheet under one stamp. This would be very much in the usual spirit of legislation in such matters, and we are not surprised to find that such an interposition is expected.

When the first double sheet of the Times newspaper was published, some very curious and amusing calculations were made of the quantity of matter contained in it. We may extend these calculations to the enlarged number of the Atlas, of March 22nd, and we shall find that it contains in quantity as much as would fill two good octavo volumes, or indeed three, as they are spun out in the modern way with whole fields of margin; and that there is as much solid type in No. 149 of the Atlas, as in all the daily newspapers (eleven in number) of one day in Paris. If the contrast between the Atlas and the French newspapers of the present day, large as they now are, compared with what they were a few months ago, be curious, how would a number of the "Daily Journal" of one hundred years ago—then an improved and enlarged paper, appear by the side of the Atlas? In size, two of the columns of the Atlas are more than equal to the whole of the "Daily Journal" of that period, and in matter one column of the ninety-six, which the Atlas of March 22nd exhibits, is more than equal to the whole of that paper. The quantity of paper used by the Atlas on the 22nd inst, when, as we ought previously to have stated, its enlarged form was given for the purpose of furnishing to the public a very full report of the debates in parliament on the Catholic question, is stated to have been 30 reams, and to have weighed 4,260 lbs, the number of copies printed being taken at about 15,000, which would pay a duty to government, of 60*l.*; whilst the Stamp-duty would be about 200*l.* Looking at the size of the sheet, and supposing the number printed to have been, as stated, we shall see that if the

sheets were placed lengthwise together, they would extend over more than 15 miles of ground.*

The number of persons employed upon the Sunday Newspaper Press in London, on the Friday and Saturday, is at least four hundred, without taking into the calculation the news-venders and the persons engaged by them. In a former paper on this subject, the total number of persons employed upon the London and Provincial press, was stated to be two thousand seven hundred, but in that total also, the newsvenders and their servants were not included. We have not the means at present of ascertaining with positive correctness the number of persons engaged in the sale of newspapers in the metropolis, but the answers to the inquiries which we have made, on the subject seem to warrant a statement, that, upon the whole of the newspaper press in Great Britain and Ireland, there are not employed as newsventlers, and agents, including the servants, less than two thousand, so that we have a total of nearly five thousand persons obtaining a subsistence from the Newspaper Press alone. The prevailing opinion in the trade is, that the number is much greater, but we have reason to think that we are not far distant from fact in this calculation.

It has been already stated that the number of copies of Sunday newspapers printed weekly is about one hundred and ten thousand. This is given as a fair average. In times of excitement the number is of course greater, as it is lower in the subsequent periods of depression.

A question has often arisen whether the sale of Sunday newspapers, as compared with that of daily papers, affords any criterion by which we could judge of the demand for information, and the comparative means of purchase among the people. It is very difficult to draw the line in the falling-off of the sale of daily newspapers, and the use of Sunday papers, between the want of interest and the want of means. At the close of the late war, the public, who appeared to have been satiated with news, and to imagine that a time of peace could never furnish sufficient incident to keep up the interest of a daily paper, evinced a pretty general indifference to news; and many persons with whom the purchase of a daily paper proceeded from mere excitement, discontinued their subscriptions, and contented themselves with reading the news once a week instead of once in every twenty-four hours, but this was only for a time; within the last four or five years there has been a good demand for

* Various statements are made as to the number of copies of the Atlas sold on the 22nd of March. The lowest statement is 14,000, the highest 20,000.

daily papers, without any material decrease in the sale of Sunday papers ; and we are able to assert that the number of readers has very considerably increased within the last six years. We are prepared to hear this statement denied, but as our assertion is made upon data which we know to be correct we will first see how the case stands as to the daily press. Within the last ten years, of all the newspapers in circulation, the British Press is the only newspaper which has been actually discontinued without a successor being found for it, and the Representative having been incorporated with the New Times, now the Morning Journal—all its readers of course were not lost. Among the Evening newspapers we have had at different times new competitors for public favour—as the True Briton, Evening Chronicle, Nation and Argus ; all of these were discontinued after having each acquired a certain circulation without causing a corresponding decrease to the papers already established. It is a well-known fact that all these papers together, although they had some hundreds of subscribers, did not injure the Evening papers against which they were set up, to the extent of one hundredth part of their circulation ; and, when the intruders died, their subscribers were bequeathed to the surviving papers, by which more than one half have been retained, thus shewing at once a decided increase of what are called new readers. The Statesman, when it was discontinued, had a circulation of several hundreds which were transferred to, and for the greater part retained by, the Globe ; and there is now in the field one more Evening newspaper than the usual average. It would not be safe, perhaps, to assert, that collectively the six Evening newspapers published in London, circulate more copies than were ever circulated by Evening papers ; for during the late war, when the excitement was very great, the number of copies printed was occasionally enormous ; but that was in a mere fever of curiosity, and the sale of newspapers under such circumstances proved nothing as to the progress of intellect. Men read newspapers then for accounts of battles and sieges—they read them now for improvement. It is no longer possible to keep up the excitement which was created by the war, and the columns of newspapers are filled with more useful and instructive matter. But we will say, that at no time during the peace, and in the absence of peculiarly exciting causes, has the sale of newspapers been so great as within the last two or three years. Still confining our remarks to the Evening papers, we notice the Sun, which, from a circulation of little more than 350, has risen to nearly 2,000 ; to the British Traveller, which may be said to supply the place of the Statesman, with a circulation of double its number ; and to the

Standard, which, although not two years old, now circulates at least 1,500 copies. The Courier has indeed gone down considerably, but the Globe has added within three years to its former circulation more than 1,000 copies; and the Star, a paper now hardly known, has not for many years had a circulation upon which it was possible to lose any thing considerable. What does all this prove but that whatever may be the means of purchase, there is a great increase of readers—that the schoolmaster is indeed abroad, and that man is become more of a reasoning animal? We are not prepared to say exactly how this increase of readers has taken place, but a portion of it may fairly be attributed to the establishment of the little coffee houses or shops in which most of the daily papers are taken. Throughout the country, the number of places of this description being very great, it must have caused a considerable demand for newspapers. The working classes, who frequent them, cared little when they met at public houses, for newspapers; their object then was, to smoke and to drink, but now no man, or no man who can read (and how few are there of those who go to coffee-shops who cannot read), thinks of calling for his cup of coffee without at the same time asking for a newspaper. The change which the establishment of these places of public resort has effected in the habits and manner of thinking of the working population is great and satisfactory. One has only to notice the vast difference between the artisans of the metropolis and those of the country towns in which there are no coffee-shops, to be convinced that it is to the frequent reading of newspapers, and to the verbal discussion which they naturally produce, that we are greatly indebted for the marked intellectual improvement of the metropolitan multitude. Nothing serves so much to perpetuate ignorance and prejudice as the being limited to a small circle of acquaintance, or the reading of those newspapers only in which appeals are made to the weak and malevolent passions. Why was it that at the late election for Oxford three-fourths of the parsons voted for sir H. Inglis, and three-fourths of the barristers and men of the world voted for Mr. Peel? The answer is plain.—The parsons, generally speaking, never leave the circle of their own parishioners, they seldom read any newspaper but those which their fathers read before them, and the consequence is, that they have no opportunity even if they had the inclination for rubbing off the rust of prejudice, and acquiring liberal ideas. So is it with the multitude. As long as they in their hours of recreation passed their time only in public-houses, where newspapers in the present day are comparatively scarce articles, and where any thing but reading was thought of, they remained in the “bliss of ignorance,” which the aristocrats of the

present day say is the natural lot of the poor and industrious ; but when coffee-shops were opened, a new charm presented itself. They read and reasoned ; and thus it is, that although much prejudice and much ignorance still prevail, there is already such an improvement as must gratify every friend to liberality and to freedom of discussion. In pursuing the argument, that the number of newspapers now printed is greater than it ever was, except during particular periods of excitement, we will mention, as the result of careful inquiry, that the total number of copies of the six Evening newspapers now published, which is about 11,000 daily, is at least 1,000 more than it used to be ; and if we reckon that every newspaper is read by thirty persons, a very fair calculation, considering how great a portion of the circulation of newspapers goes into reading-rooms and coffee-rooms, and other public places, we shall have an increase of thirty thousand new readers of Evening papers alone ; and if we continue the speculation as to the Morning papers, we shall find the increase still more evident.

There are now published seven Morning Newspapers. The Times, the Morning Herald, the Morning Chronicle, the Morning Journal, the Morning Post, the Morning Advertiser, and the Public Ledger. The number of copies of these papers daily printed is about 28,000—which, in the absence of positive data, but drawing our conclusions from the best information that we have been able to obtain, is at least 5,000 more than it was seven years ago, on an average, and leaving out of view the number thrown off to meet any occasional demand—this will be easily shewn. The Times is higher in circulation than it used to be ; the Morning Herald, from a circulation of less than 1,500 copies, has risen, we believe, to between 7,000 and 8,000 ; the Morning Chronicle is, according to the published statement of its owner, very much higher in number than formerly ; the Morning Post, although probably lower than it was seven years ago, is not so to the extent of many hundreds ; the Public Ledger never was a high paper, and can have lost but little ; the Morning Advertiser is as well, or better off than it used to be ; and the only sensible falling-off within the seven years is in the Morning Journal ; which, notwithstanding the junction of the Representative with it, when it bore the title of the New Times, has never been very successful, since it ceased to be the Day, or rather since the best days of “ The Day ;” for towards the latter part of the period, during which it bore that title, it was a very unprofitable speculation.* The

* We are given to understand that since this paper has appeared under its present title and management, it has been regularly rising in circulation.

only daily morning paper which has sunk within the last seven years, with the exception of the *Representative*; which was little better than still-born, was the *British Press*: a paper which never averaged a circulation of 1,000 copies.

We cannot, therefore, err much, if we take the increase of daily papers at 5,000, which, on the same supposition of each copy being read by thirty persons, would give us a hundred and fifty thousand new readers; and these, added to the new readers of *Evening Papers*, will give a total of a hundred and eighty thousand. But it is in the circulation of Sunday newspapers that we shall find a marked improvement. It is impossible not to admit that we have here an increase of 10,000 copies, and consequently an increased number of readers to the extent of three hundred thousand; thus giving a grand total of nearly half a million, without reckoning the *Provincial Papers*. We hope on a future occasion to prove these statements by official returns—we shall be much deceived if they do not more than corroborate them.

On looking over the list of the newspapers printed, we cannot but be forcibly struck with their number, as compared with the population. The total number of copies of newspapers printed in Great Britain during the week, is nearly 500,000. The population Returns in 1821 were about twenty-two millions, and for the sake of a comparative number we will suppose the population to have now increased to twenty-five millions. Now a weekly circulation of 500,000 papers will give a daily average of more than seventy thousand,* which would be in the proportion of one newspaper to every three hundred and fifty-seven persons; or if we deduct the number sent to the East and West Indies, to America, and to other parts of the world, to about one newspaper to every four

* Since the above was written, we have examined the official stamp returns of 1821, by which we find that the total number of newspaper stamps issued in that year, was 24,779,786, which would give a daily average of nearly 68,000. It would appear from this statement, that if our calculation of the number of stamps now issued be correct, the increase at this time is at the rate of 750,000 per annum, and the number of new readers would be between 40 and 50,000; but we have not the slightest doubt, that in the absence of any official returns for 1828, and in our anxiety to avoid every appearance of exaggeration, we have underrated the circulation of the *Provincial newspapers*. According to a statement published in 1824, the circulation of *Provincial newspapers* at that time (and it is certainly not less now) was so much more extensive than the amount assumed by us, that taking the circulation of 1824 as a criterion, the entire number of newspaper copies printed in Great Britain, in 1829, would give an increase over the year 1821, of considerably more than one million copies.

hundred, in which are of course included children and others who cannot read. This is an astonishing number, and is exceeded in no part of the globe, except the United States of America, where the proportion in favour of the reading population is much greater; but there the proprietors of newspapers have not enormous taxes to pay as they have here, and the cost of a newspaper is very trifling. If from the gross number printed we deduct those which are sent out of the country before they are read, and allow that throughout Great Britain every copy of a newspaper is read by only twenty-five persons (and perhaps it would not be fair to take a higher average for the whole kingdom, for many of the Provincial Newspapers are not read by more than seven or eight persons), we shall find that of the gross population, about one-eighteenth part are readers of newspapers. This, of course, is speculation, because it is hardly possible to calculate with certainty as to the number of readers in particular parts of the kingdom; but if we take the number at one-twentieth, we shall certainly be under the mark, and this is no slight demonstration of the "March of Intellect." To how great an extent this might be carried in the publication and transmission of newspapers had their conductors greater facilities, it is not easy to say—undoubted the advantages to society would be very considerable.

The next question that presents itself is this.—What is the proportion of liberal ideas diffused throughout the country by this kind of reading? This question is not difficult of solution. We have already mentioned the proportion of liberal papers to those of a contrary tendency, and any man who chooses to take the trouble of calculating the number of readers may soon come at the result. It may be mentioned, however, as an illustrative fact, that the Sunday newspaper (*Bell's Life in London*), which has the largest circulation, and which, from its nature, may be supposed to circulate among the very lowest part of the population, is, and ever has been, a decidedly liberal publication. The number of copies which this paper averaged weekly for a long period, and we have not heard that it has much fallen, was 22,000. Although intended for circulation among sporting characters, and adapted for the reading of the lower orders, there have appeared in this paper some masterly articles on general politics; and it is no slight proof of the improved taste of the lower orders, that they have appreciated such productions.

The literary papers published on Saturday are the *Literary Gazette* and the *London Weekly Review*. The first named of

these papers possesses, and has possessed for several years, a very large share of public patronage.

The conductors of this work generally abstain from every thing that has a political tendency; but, on the few occasions, when this abstinence has been departed from, we have observed rather a tory than a liberal bias. The profits arising from this publication are said to be nearly 5,000*l.* a year. The number of copies circulated must therefore be very great. The London Weekly Review is of much more recent date, but it has an increasing circulation. This paper also generally avoids political discussion. A third literary paper, the Athenæum, which is published on Wednesday, has taken a very different course. Although professedly devoted to literature, most of the reviews in the Athenæum have a strong tendency towards liberalism, and the whole work bears an air of independence. The Athenæum, however, cannot be deemed a successful work. Its prospects were very bright at starting, but it has never recovered the serious injury inflicted on it by the determination to print two numbers a week.

We shall now conclude this part of the subject. It was intended to give in the same paper an Account of the Provincial and Foreign Newspaper Press respecting which, some valuable and authentic statistical information has been obtained, but it is absolutely necessary to defer it until another number.

ART. XIII.—*Poor Humphrey's Calendar. Wherein are given Mysterious Warnings, Plain Hints, True Tokens, Judicial Judgments, Prognostications, and Prophecies concerning the Sigus of the Times; especially things to come in 1829: Discreetly shadowed forth to the Understanding of Listeners to the Voice of the Stars, by Remarkable Hieroglyphics with Explanations calculated to satisfy the most Unlearned Inquirers into the Secrets of Futurity. Also divers Diversions and curious Conceits for the Fair Sex and their Favourites; and many pleasant and pithy Sayings and Thoughts in Prose and Verse. By Poor Humphrey.—London: Published by Matilda Hone, Printseller, 29, Russell-Court, Brydges-Street, Covent Garden. And sold by all Booksellers in the United Kingdom.*

HEAVEN be praised for Matilda Hone; and for the father that begat her. This is he that smote lord Ellenborough, —some say, to the death,—standing up before his judgment-seat in the strength that was given him in that hour, and leaving an example to courtly judges which will never be forgotten while benches are made of boards. Some good men, perhaps, were wounded through misapprehension of his matter. And it is

for the sake of these good men, if such there be,—and of the many bad ones to whom a delusion of any kind is daily bread,—that it is here proffered to be demonstrated, that the prosecution against Hone was founded from beginning to end upon a fallacy. *It is not true*, that the man who parodies, necessarily intends to ridicule the thing parodied, or *does* ridicule it. There are two kinds of sarcasm conveyed by parody; one, where the greater is ridiculed by being compared to the less; and the other, where the littleness of the less is made conspicuous by being contrasted with the greater. The two kinds cannot be co-existent: for each would destroy each, and the effect be null. Now in Hone's case, no man in his senses ever doubted, that the kind was the last. When he said 'we praise thee, O stone; we acknowledge thee to be a bullet,' every body knew that his intention was, to ridicule a sham plot, for representing a pebble thrown by some drunken artisan at a king of England's carriage, as an attempt at assassination. The judge and every body, knew perfectly that the liturgy was chosen for the matter of the parody, because it was *not* ridiculous,—because it was a grave and solemn object, possessing a rooted hold upon the hearers minds, and which therefore threw into high relief the absurdity of the thing intended to be ridiculed. The judge and every body, knew perfectly that the man was being tried for one thing with a view to punish him for another. They knew perfectly, that the desire of the court and government of those evil days, was to visit Hone with punishment for ridiculing the sham plot; and the jury stamped their knowledge on their verdict, and left it recorded for ever in the annals of baffled power and disappointed vengeance.

When a man has once been persecuted, like the son of Sirach's libertine he will never give over till he dies. It is in pursuance of this feeling that Matilda Hone, as her father's proxy, presents herself with one of the oddest attacks on the folly of our ancestors, in the shape of *Poor Humphrey's Calendar*. The world has been long over-run with real fools in this department; and Humphrey comes forward in his fool's coat to whip off the puppy pack. In all that relates to the quaintness and follies of antiquity, Hone is the Cruikshank of his line. No man ever had so keen an insight into the absurdities of those we have been taught to hold for wise. Dotage and imbecility are the small game he lives upon; and he ought to be harpooned, as a very whale to antiquity. And yet he is not insensible to the beauties of antiquity either; for no man doubts the existence of its beauties—the only quarrel is with those who would thrust its garbage down our throats for sugar-plums.

The following memoranda are worthy of nobody but Pepys.

17 May. *Mem.*—On this day 1828, I lost the nail from the great toe of my right foot. My wife found it the next day in my left stocking.

Note.—The night before, our yard-dog howled, and there was no moon.

26 May. *Mem.* This day last year, my wife quarrelled with me, because I would not let her cut her corns while she was in 8.

Note.—I did not speak to her for four days and three nights.

Two special portions of the wisdom of antiquity occur in July and August;

‘I find in a treatise, entitled ‘the Government of Cattle,’ set forth in 1662, by ‘Leonard Mascall, Chief Farrier to King James,’ the following stable rule, viz.

‘To know: the difference between a horse bewitched, and other disease, ye shall mark this; that when sick, or diseased naturally, the grief will often times alter again, by little and little, and so mend; or else it will increase by leisure, and not come so vehemently as when the animal is bewitched.’

‘Take a little of the herb green basil, and when dishes of meat be brought to table put the herb secretly under the dish that best pleaseth you; and as long as the herb be there, not any woman at the table shall eat of the dish that covereth the herb.

‘POOR HUMPHREY adviseth experiment hercof when you have one dish and your appetite be good, and you like the meat, and it be scanty, and your wife seemeth hungry. It is a pleasant domestic conceit, and profitable in the success.’

December winds up with the following oracular counsel;

28. **Whip your Children** THE FIRST THING THIS MORNING; for so it was the Wisdom of our Ancestors to do, in commemoration of Herod's cruelty to the Innocents.—*Kind Reader, Farewell.*

But better than all this, are the seven marvellous secrets from Albertus Magnus; which it would be injustice to Matilda Hone to reveal, except by the intervention of her pithy and profitable book.

The chapter ‘Of Uncommon Goblins’ ought to be valuable to Blackwood's Magazine, or any other work that trades in keeping up the belief in that which is not. It must be grief of heart to such philosophers, to see a bull of Basan like Poor Humphrey, in the china-shop of their illusions. Could not they afford to declare he is not worth reading; by way of an advertisement for the benefit of Humphrey's mistress?

The fool hath also poetry for such as love it; as witness, in May;

' This month Mackarel comes in season ;
 And also reckon upon peason ;
 Of both these much might be uttered ;
 Each is very good when buttered :
 Your butter should, always, be cold to your pease :
 For Mackarel, melt it : but—do as you please.
 POOR HUMPHREY is a friend to complete Toleration
 And would not hurt a tender conscience by dictation.

Nevertheless is he only tolerant in butter ; for in February he is found singing the following truly Protestant lay ;

' That the Pope is still a Catholic most plainly doth appear,
 And we therefore hate him famously, and fearfully do fear.
 For they say his troops are cruel Bulls, and that they're coming over,
 And they'll run about and toss us all, unless we stop up Dover.
 Now we'd let him turn a Protestant, so it's quite a shame he don't ;
 And it shows what a base man he is, when he might be one, and won't.

But what if Humphrey has vaticinated ? What if he has beaten all prognosticators since Nostradamus ? By what strange judgment was the gift bestowed on Humphrey, as if Providence itself was in the plot to shame all lying wonders, and beat down folly by his hand ? Turn to the 21st of March, on which day at nine in the morning was the duel between two noble lords, and see if these words are not written ;

21. *Jack Saturday*.—What are you fighting about—you two ?
 Why—my eyes are grey, and his are blue.
 Pho, Pho !—you blockheads !—stand away.
 Not till he changes his eyes to blue !
 Not till he changes his eyes to grey !

If Francis Moore or the Pythoness had ever made such a hit, all history would have been full of it ; with no dispute but whether bright or dark agents had been the teachers.

Many fragments of great poetical beauty are scattered through the different months ; particularly some quotations from Hetrick.

Reader, if thou lovest mirth better than lord Ellenborough, give a shilling for Poor Humphrey's Calendar, that he may be fat and frolicsome another year, and shame the noodles of 1830 with most exquisite fooling.

ART. XIV.—1. *Narrative of an attempt to reach the North Pole, in 1827, by W. E. Parry, Capt. R. N. F. R. S.* 4to. London. Murray. 1828.

2 *Narrative of a Second Expedition to the shores of the Polar Sea in the years 1825, 1826, and 1827, by John Franklin, Capt. R. N. F. R. S.* 4to. London. Murray. 1828.

WE were about to commence, by observing it was to be hoped no more voyages would be made to the North Pole, or the Polar basin, or the North-west passage; but must correct ourselves by hoping, that no more voyages on this wearisome subject will be written; or that, if written, they will not be printed, or that, if written and printed, they will not be spun out as they have been, into the dull and interminable lengths of the most dreary set of quartos that ever issued from the press in any civilized country. In empty prolongation, vapidness, wearisomeness, there is scarcely a parallel set of quartos, and surely not a parallel set of voyages and travels in the English language to compete with that mass, which, commencing with Captain Ross, ends with the two that stand at the head of this article. This is abominable, because the voyagers and travellers themselves are, or were, all sensible and well-informed men, as well as good officers; and, as mere writers of English, at least, as well qualified to write as nine-tenths of the modern travel-makers of the day. Certainly, we have read them all, because it was our duty; but it has been the hardest and the driest task ever imposed upon us, and we know not, that we would not have rather performed Captain Parry's last journey with him, for nought but the voyages themselves can be the parallel to the books in which they have been for so many running years recorded.

How is this? Be it how it may, it is very bad. Is it because captain Ross's book, containing matter barely enough for a duodecimo, was blown up to so monstrous a bulk, that the pattern was established? there would have been more honour in the breach. But no, like causes produce like effects; the *bibliopole* demands a quarto, the *bibliopole* demands so much letter-press; and the writer must contrive to cover a certain area of paper with a certain measure of typography, that the merchant may dispose of a certain mass of paper and words. And we must skip while we pretend to read.

Yet, that is not the worst effect; and if the effect is bad to the reader, so is it to the author; for, while in all this they are to be held all of them, if not exactly guilty, yet not quite innocent either, they are sufferers in reputation, whatever they may gain as a salvo in the shape of solid pudding.

The interest of the book is lost in its dilution; and not the interest of the book only, but the interest which would otherwise have been taken in the men, in the adventures, in the authors, in the voyage, the subject, in every thing, even in the very Esquimaux; though in general they are the only relief afforded. And even this is not all, for we lose sight of the very facts themselves, in the fog of words in which they are enveloped; and, what is even worse, we are at a loss to make out what is the interesting fact of any given portion, when equal space, equal words, and equal importance, are given to every thing. If these writers desire to excite interest, why cannot they learn to concentrate the food of our minds as they did their rum and their pemmican? there is no subject, no mode of writing, that will bear these "twenty waters" without becoming what their grog would be under the same treatment. We well remember reading a brief abstract of captain Franklin's hardships in his first journey, and have seldom been more interested; when we came to read his own printed account, we wondered how we ever could have been interested at all; the very hunger and starvation escaped us. But that concerns the writer and the voyager chiefly: what concerns the reader is, that he cannot get at the matter which he wishes, that he cannot sometimes discover at all, where he is to attend for what is the real information, and that, perpetually provoked with paltry details, he either overlooks what might instruct, or skips where he ought not, or throws the book aside altogether. In fact, we read one of these books quite through, before we discovered the discoveries themselves, or discovered that we had been doing any thing but listening to an idle tale about fur-traders, forts, dogribs, and Esquimaux.

Now the provoking circumstance is, that the matter is there, and that the able man performed the voyage or journey, made the discovery, and has recorded it. What more could be desired? nothing more; only a great deal less. I hear thee not, for much speaking. But we doubt if this is the only provoking circumstance. A book of this kind and size and adornment is meant to be popular and entertaining; if not, if only intended for a useful and necessary record, it should have been smaller, and it would have been what our objections suggest. But not one of these volumes, is either of a popular character or of an entertaining description. If the real matter is obscured by dilution, the diluent is muddy and vapid. There is a pervading dullness in the very manner, as well as in the facts and the notation of facts that runs through the entire set: and if captain Ross's is as dull as possible, we really do not see that any one of the

whole is better. There is something essentially wrong here. A writer, such as writers have been and are, would make an interesting book out of five hundred miles of Arab sands: another goes from "Dan to Beersheba, and finds all barren." An Arctic voyage may not be a very fertile subject, nor can we assert that the voyages of the Copper-mine and the Mackenzie river are like that of the Rhine. But the road from Calais to Paris is at least as dull as either; and yet we have found that it afforded matter to one who, whatever else he might have been, did in short, produce a very entertaining volume out of it.

No: Nature, in her inanimate and in her animate creation, is full of matter to see, matter to describe, matter to excite reflection, matter to teach: but she gives us only the materials: it is man that must read and record them. Whence does the poet draw, and why is he a poet? And why is not every man a poet, when Nature in all her moral and physical forms is the same to all, as naked to all as to one? The matter is open to the traveller as to the poet: but he sees it, not like the poet, but like the people. Nature was to him a sealed book, and his book can be but himself. And travel wherever he may, see what he may, let who will travel, who will write those travels, that book will be the transcript of his mind: and, as have been the stores, so will be the produce. *

This is not said in censure, but for precaution. We are about to have another voyage, and we do not wish to have any more such books. Let us, therefore, at least enter our protests, and we have some further protests to make. These books are meant to be popular; and they are stuffed out, sometimes to double their actual, and still superfluous size, by matter which nobody reads and nobody ever will; and, it may be added, for the far greater part, with matter that not a living soul cares about, and which is of no manner of use to anybody. We allude to all the appendicular matter of tables, of magnetism, and temperature, and meteorology, and so forth, and to the reports on natural history; and we repeat, that while it is not reading matter, and therefore not admissible into such works, the greater part of it need never have been printed, any where. The merely documentary tables are fit only for the archives of a society; and of those, if any thing were printed, it should be results. Or, with every indulgence, these are records adapted to the Philosophical Transactions; for whoever might wish, to consult them would seek them naturally in such books. And the same wire-drawing and diluent system is pursued in the Natural History. A mere catalogue would have answered every purpose, with, perhaps,

an occasional remark ; yet, even in successive voyages, whole trains of pages are printed on the very same animals, when six lines of names would have given all the necessary information. And as to the stones, if this is what is called geology, we do not wonder that geologists are ranked with hunters of butterflies. In the second book in our title, there are one hundred and fifty-seven pages of such appendix to three hundred and twenty of the real book ; and if the real purpose matter of even this part of the volume, were separated from the dead weight, we believe that the whole would not occupy one hundred and fifty. Enough—having given this warning. Captain Ross is about to make another voyage ; and we do hope that he will take the warning, in some portion at least, that we may not again have to wade and sail through all these swamps and seas of snow, water, and ice, knowing as little of our latitude or bearings as captain Parry knew in his own fogs, and after all our labour, never getting one jot nearer to pole or passage.

But it is time to inquire what has been done, and what the probabilities are respecting what is to be done, what remains to be effected, and what is once more to be attempted. But we object *in limine* to the term Northwest-passage, as much as to that of the Polar basin. It has not even the merit of being a “ passage leading to nothing ;” though it were passed, it can never be a passage, any more than the entrance made by a burglar can be termed the house door. The original project, was literally a north-west passage, or a shorter mode of reaching India : the present is that of completing the outline of America in the first instance, and further or ulteriorly, of ascertaining the entire geography of the Arctic sea on this side of the globe. It is time to drop an idle phrase which still misleads the people, and somewhat dazzles the brains of their betters : open a policy at Lloyd’s, and see who will write one any time in the next ten centuries, unless the axis of the earth should change.

Such was the purpose of all the voyages, prior to the one at the head of our article, and such the purpose of captain Franklin’s two journeys. It is idle to speak of utility : the object was geographical reputation ; and this, purely, and without even another pretence, was the purpose of captain Parry’s last. Geographical reputation and national honour : both of them laudable motives : of any thing else in the way of use, except the magnetical question, we never could discover a trace from the commencement, and have not been disappointed. Nothing has been gained, and nothing will : for mere science, it has been the least possible gain. Let us face the truth at least ; and

why should we be ashamed of seeking even the bubble reputation? for it is not always the bubble in the past, which it might have appeared in the pursuit: though we need not repeat the usual "heart of oak" canting about British seamen and British spirit.

But some general sketch ought to be given of what has been done on this subject, before proceeding to the notice of the works before us, of which, only one relates to the general question, the geography of America. Often as this has been done in various shapes, we would gladly have passed it over; but without some notice of it, no reader could form any conception of the present state of the case, and of the nature of the existing prospects. This has been one of the consequences of the diluent system: and as the matter now stands, no man but a Reviewer, wretched drudge as he must thus make himself, will or can, even collect these paralyzing and heart-sinking books on his table that he may try to understand it himself.

A shorter passage to India, the very original pursuit of Columbus himself, and the object, gain, was the first incitement to the attempts to navigate westward by the north side of America: and the truth is, that it continued to be the real motive when the project was revived in our own days, as it had been in all the antecedent periods of our own naval and commercial history. We may pass over the attempts of the Cabots, as of other navigators of this remote date, together with the other obscure antiquities of arctic navigation, to commence this very slender notice from the time of Elizabeth, when the scheme assumed a more definite form, and has contrived to leave records of mere accuracy and interest.

Martin Frobisher's expedition in 1576, is the first of these, and it has often been a subject of admiration to seamen on account of the smallness of the ships (if twenty-five tons burden deserve the name of ship) in which it was executed. But the truth is, that barring the casual injuries from ice in this particular case, a vessel of this size is as competent to the circumnavigation of the globe as a far larger one, and often, indeed, much more safe. A small ship is a stronger structure than a large one, as well in its masts, sails, and rigging, as in its architecture or carpentry: it is, or may be more buoyant; and, being all this, it possesses all the powers of resistance against mere wind and sea that a ship can possess. Landsmen may wonder, but seamen ought not, and would not, had they not been so long accustomed to bulk as to have almost forgotten what the security of a ship really consists in; while

Flinders' run in his wretched schooner, proves that what Columbus, Frobisher, and others performed, may be done again. One of the ships now to proceed on the new expedition, is less than Frobisher's : and we hope to see that men and seamen are not now worse than they were in those days of adventurous poverty.

Frobisher performed little in his three voyages, of which the latter, however, were far otherwise appointed ; and Davis became his successor within ten years, discovering the opening which still bears his name ; but after the same number of attempts, effecting little more, while neither navigator made the slightest approximation to the hoped-for "passage." He was succeeded by Hudson ; of whose two failures, the one to find a way round Asia eastward, and the other to make one more north, or by the very Pole itself, we need say nothing. His great discovery in 1610, is the bay which still bears his name ; yet of which, his death, or rather murder, if so may be termed his being "marooned" by a mutinous crew, left much to be explored ; and of that much, a considerable portion has been examined and ascertained by captain Parry, since it is scarcely necessary to say any thing of Bulton's voyage.

But the great name of this day is Baffin ; and it is not unamusing to have seen it rescued in our own times, by the pioneer of these new expeditions from the contempt thrown on it by one of those night-gown and slippered gentlefolks who "sit at home at ease" dictating to men as immeasurably beyond themselves in knowledge and mind as in energy, what they did not see, what they ought to have seen, and what they should have done, because a road across Caucasus or the Himalayah is Macadamized of course ; and a Polar basin must needs be as silvery and smooth, as that beautiful pond which glitters through its highly tortuous and serpentine course in the midst of Hyde Park.

Even poor Moorcroft was not allowed to feel that he could not breathe at elevations where no man ever did or can breathe : the good man did not even know till he was informed, that "in fact Mr. Moorcroft was ill." Reviewers are a tolerably impertinent race, we must admit : but they ought at least to confine themselves to their own proper trade, of telling a man that his metaphor is false, his simile not like, and his rhyme lame : to insist upon it, out of an arm-chair which never quitted its garret, and from observation which never quitted the arm-chair, that a man did not know what he meant, what he felt, what he saw, what he did, and where he was, is somewhat "trop fort," even though the point to be found were a Polar basin.

Baffin saw no bay, ascertained no continuous land, did not know what he was doing, and, in short, he was condemned, and his bay was scratched out. The fame of the all-knowing, elbow-chair navigator, replaced the fame of the man who sailed, astrolabe in hand; and the map-makers bowed and obeyed. Nothing could be so clear: there was not even ice in the Polar basin; it was an open sea, it might be navigated, it was to be navigated, the Pole was to be found stuck up in the middle of the basin, and another pole, bearing the flag of George IV king of the seas and the faith, was to be stuck upon its summit, while "the needle was to fly round, the north become south," and wondrous other untold things were to happen, besides burying a bottle with a halfpenny in it, and taking possession of this "commanding pinnacle of the globe, whence a man could look down on both the hemispheres."

Of pinnacle, pole, and poetry in this case, we say nothing: of the people we might, for they believed in all three; while it was no less plain, that of whatever materials the pinnacle or the pole might be made, whether there is a patent oil box or not to the axle tree, it could not fail to be a very warm climate, since it could never have other than southerly winds. Wherefore captain Ross was sent out to sail into the Polar basin, and to prove that Baffin was a bad blockhead, and no navigator. Alas for the fate of fame, and the superiority of Reviewers! Baffin stood, and the basin was no more. *Hinc illæ lachrymæ.* The crime was unpardonable, and never to be forgiven: and forgiven it was not.

This able navigator, and, with imperfect means, really extraordinary surveyor, ascertained, then, the bay that bears so properly his name, but he determined also that it had no outlets. This was not only pardonable, but we can scarcely see how he should have done more; though it may be said, as in the subsequent case of captain Ross, that he ought not to have pronounced a negative. Yet we may here say, and it applies equally to Baffin and Ross, that the arm-chair navigators never did entertain a suspicion of the westward opening discovered since by Parry, that Baffin's report on Lancaster Sound had not been questioned, and that the hopes ever were an opening northwards, and a Polar basin; in short, not a mere opening, but a wide strait, not a bay. And a strait, a narrow one, there may be yet, for the northern end of this bay is no more *proved* to be without some passage, than Lancaster Sound was at that time.

For the present purpose, it is useless to follow the Spanish attempts on the other side of America: the discovery of Behrings-straits, and the labours of Cook, are the only essential points of

interest here, and what remains of voyages of discovery, antecedent to the present case, may be comprised in the unimportant labours of Middleton, whose additions gave us what 'else we possessed, relative to Hudson's bay and its dependencies, as they were recorded in the maps which for so long a period furnished us with the only notions which we had of the north-eastern American geography.

But something also was done by land, under the protection, rather than the ambition of the Hudson's bay company, respecting whose policy, indolence, mismanagement, or whatever else, we need not trouble ourselves here. Most persons know what the character was, or has been, of the men whom the fur-trading associations employed, and still employ; and it needs not be said, that in their commercial pursuits they generally required to be hardy and enterprising, and often proved themselves to be such, though careless of what did not refer to profit, as their employers had almost always shewn themselves. Two, however, were stimulated by somewhat of a nobler ambition; and thus Hearne and Mackenzie became the pioneers of captain Franklin, by noting two points, which, if not fully ascertained, gave at least the probable basis for an outline, which was in some manner to define the American continent to the north. It is true, that some doubts were for a long time thrown on the most important parts of both their discoveries, the proximity or existence of the sea; and it is certain that Mackenzie did leave the subject in debate. But their labours have been sufficiently verified now; and it is, by following the route which they pointed out, that the most extensive continuous tract of this northern shore, has been at length defined, and with modern accuracy. We need scarcely say, that the mouths of the Coppermine, and the Mackenzie rivers, were the two points of departure in question.

And here the matter slept, and seemed likely to sleep; since Britain was, long, otherwise, if not quite so well, employed. But in 1818, captain Ross was sent with the first expedition; of the purposes and results of which, we have almost spoken sufficiently in our remarks on Baffin and his discoveries. The general recollection of his voyage, as being the first, is so much more strong, and even fresh, than that of even the subsequent ones, that it would be quite purposeless to say more than that he completed a scientific survey of this great bay, or sea, with the exception of some then inaccessible small bays included in its outline. Nor need we recall to mind, the heat and the squabbles and the bad temper which followed; though we fear that even that is not yet passed away, in those quarters where it chiefly

raged. Personal, to all eyes, it seemed to be then: that which had been so triumphantly predicted was not found; and it was necessary (people call it natural) to be sore, and to beat the dog which had not found the game which the sportsman had marked down, and which yet he had not rightly marked. And the dog was beaten accordingly.

As we have already said, Baffin pronounced a negative, and did wrong. Ross did the same, and committed the same illogical sin. Perhaps it was not very difficult to discover the reason, if not for the original wrong—for the persisting in it. There are certain animals which require to be coaxed, if there are a few that “get on” best by beating: and, of the former, it is certain, that the more you beat, the more they won’t stir. And there are men of wit, also, in this world of ours, who can discern the signs of the times, and know when it is expedient to haul their wind, or court the breeze that has shifted in their teeth, and steer a little fuller, while the others only pull their bowlines the taughter, and set their teeth more bitterly against the gale. In short, gentle reader, captain Ross went to the wall, and captain Parry went to Lancaster Sound.

And Lancaster Sound was sounded, and navigated, and Rosamonds, and Barrows, and Crokers, took flight, and the Polar basin was put out of sight, and the trumpet was blown so loudly that it was even put out of hearing, and a dishclout was drawn over the past, and it was “wiped up, and no more was said about it.” Or at least, the Polar basin was now called the Polar sea, and into the said sea did captain Parry penetrate as far as he could, like a bold fellow, and a good seaman as he is; though in what manner his “predictions were fulfilled,” does not quite so clearly appear, inasmuch as nothing ever could have been predicated or predicted on the subject, and inasmuch as to fulfil a prediction, it is commonly required, that such prediction should first have been predicted.

As captain Parry’s first voyage is clearly the most important, as far as relates to the great object of circumnavigating America, we must note the essential points, since the next attempt ought to be made, and, as we are informed, is to be made, in this direction. This officer then passed through Lancaster Straits; and having done thus, performed two several operations, or made two very distinct efforts, essentially distinct as far as future progress is concerned, to penetrate westward. On his more northern line, he found a group of islands, to which the name Melville was given, and of which the furthest western extremity, is Banks’s land, if that be also an island. Here, therefore, it was found, first, that the said Polar basin might be

a sort of Archipelago in this quarter, but no more ; nor is even that matter highly satisfactory. It is even now but a better sort of conjecture : there may be islands, and even any point of land which was seen may be an island ; but it does not follow for that, that there may not be land even to the Pole, or to Asia itself. To say that *there is* a Polar basin or a Polar sea, is to write, once more from the arm-chair. Captain Parry himself is too sound a philosopher, and too expert a geographer, to say that he has any reason for such a belief, or rather for such an assertion. No one knows ; and the grounds of conjecture are invalid, or at least imperfect ; since not even captain Franklin's "long swell" will prove this.

In ascertaining what he did in this quarter, captain Parry did a great deal, while it is but a truism to say, that he did what never was done before, and that he outstripped all the former experimenters in the north-west passage. But it was not all that he did effect ; and what remains is not unlikely to prove the most important portion of his work. We allude to Prince Regent's inlet ; but yet that is on the presumption that Cape Clarence is the cape of an island. If it be not, this inlet will prove what Cumberland inlet has proved, and there will be no passage here. And here probably it is, that the great chance of failure in any new and single expedition lies. A whole season might be spent in getting deeper into this inlet : it may be ice-blocked, or it may be a bay, and in either case the season may be lost. The same might happen to a single expedition attempting the passage to the north of Cape Clarence ; nor do we see the remedy except in a double expedition. But this is not our affair : it was our business to sketch the result of captain Parry's first and most important voyage.

The second voyage of this persevering, and on the whole, fortunate navigator, was planned through Hudson's bay ; and a very intricate, and formerly unknown piece of geography was ascertained. The results of a land expedition made from the ships, also proved, or gave reason to infer, that there was a passage, or rather that the land which forms the eastern boundary of Davis's strait, was separated from the American continent. In this case, the land just named, is an island, or a group of islands, as Melville peninsular may prove, also to be ; but as further progress was impossible, these matters remained to be further settled, and the two summers of this expedition terminated, as far as a passage to the westward was concerned, "*re infecta.*"

A third voyage was undertaken in 1824 ; and the intention was, very judiciously, that of making the attempt once more,

and in a more effective manner, through Prince Regent's inlet, and consequently, by proceeding on the track of his first voyage. The result of this proved nothing, in consequence of the loss of the *Fury* from the stress of the ice, and the necessity forced on the commander, of bringing home the other ship with the two crews. And here the sea attempts towards this circumnavigation terminated ; since the volume of this officer, at the head of our article, relates to a very distinct matter.

But to complete this sketch of the past, we must now turn to captain Franklin's first journey, in 1819, and the three following years. It was but judicious to attempt to perform by land what had been found so difficult, tedious, and expensive, by sea ; and the discoveries of the fur-traders offered the basis, as the wide command which the fur-companies had obtained throughout this country, their fixed posts or forts, knowledge of the languages of the Indian tribes, communication with them, and so on, united to friendship or dependence, afforded great facilities. We are somewhat surprised that this was not done much sooner ; and that when undertaken, it was not set about in a more secure and effectual manner. A mixture of parsimony, neglect, and mismanagement, is throughout obvious ; and the result was, great hazard and suffering to the persons employed, with a very disproportionate gain. And this result is told in a few words, though the tremendous quarto which contains it amounts to more than seven hundred and seventy pages. The line of the sea shore to the north, was defined, and surveyed from the mouth of the Copper-mine river westward, over a very limited range, of a very indented and irregular coast ; in which, Coronation gulf, and Bathurst's inlet, form deep bays. And here a cape, named Turnagain, forms the present easternmost point of our knowledge of the American shore, commencing from Behring's straits. Thus it now is, that the space between cape Turnagain and the bottom of Prince Regent's inlet, as far as it is ascertained, forms the only unknown shore on this side of the American continent ; and all that remains to be examined to complete the outline and definition, with the exception of a somewhat less portion westward, near to Icy cape or Behring's straits, of which we shall have to speak immediately. It must be remembered, however, that though it is the custom and the hope to speak thus, or to presume that this northern shore runs on a line not materially deviating from a parallel of latitude, there can be no possible security. Our travellers and voyagers speak of the sight of sea or sea ice to greater distances than they reached, so as to give grounds for the hope or opinion in question : but it must be recollected, that no extent of sight

from any of the several points that have been reached, could suffice for such a conclusion. We have already seen, that from Hudson's bay to Melville islands which forms the furthest northern limit of our present knowledge, there is a singularly intricate arrangement of land, whether island or peninsula, and we can even now perceive no evidence why the land should not reach, in some form, in a continuous body, even to the pole; or, more probably, why it should not form a heap of islands upon islands, separated by narrow straits, which, from being obstructed by ice as a matter of course, must ever be impassible, by sea at least. We are too apt to hope what we wish; and our own confidence is by no means what we find it elsewhere; nor can we say that even the discoveries of captain Franklin's last journey, have made it much greater than it was before. Of the evidence to this effect to be afforded by currents, we have read all that has been offered, and have no objection to give it what weight it may merit; but we do not think it affords the conclusions that have been drawn from it.

We will now give a brief sketch of what was effected in captain Franklin's last journey, performed between 1825 and 1827, that we may complete this general view before we proceed to the notice of the works before us. The point of general departure may be taken at the mouth of the Mackenzie river; and the work was performed on one side by one portion of the party, and on the other by the remainder. In this way the whole coast has been laid down, and very nearly on the parallel of 70° from Cape Beechy westward to the mouth of the Copper-mine river, thus connecting it with the former work. An assistant naval expedition, it must also be remarked, had been combined with this, under captain Beechy, through Behring's straits; and on this side, further, an addition has been made, so as to reduce the unknown land on the westernmost side of America to a breadth, or a parallel, of only one hundred and sixty miles. And the total result, therefore is, if Prince Regent's inlet does lead in any tolerably straight manner to Cape Turnagain, that out of the whole of this supposed even shore, there are only wanting about six hundred and sixty to complete the geography of the northern outline of this great continent. Turn we now to captain Parry's book before us.

Mr. Scoresby's name and qualifications have been long so well known to the public, that it would be mere supererogation to speak of them. We said formerly that Frobisher had proposed to cross by the pole, and it would be repeating a ten times told tale to go over again what was done or tried by Hudson, Baffin, and others, and all that has been suggested

on this subject about open sea, and ice, and possibilities. Suffice it, that it was all pretty well thrown aside as a mere project, when this person, than whom none could be better qualified to propose, suggested the possibility of travelling, not navigating, to this long-wished-for and mysterious Nothing, where there was to be found, who knows what—yet something assuredly never dreamt of, even by the romancers of the eastern tales. An actual pole made of a diamond, or possibly, in former days, of an immense magnet at least, was perhaps the smallest conclusion that would have satisfied the people. Mr. Scoresby proposed to travel over the ice, because he believed it to be an icy or frozen sea, and he proposed to travel on sledges by the aid of Rein deer. The distance could be reduced to six hundred miles, it had been said and believed that such ice would be smooth as well as level, and there were at least two good months of summer for such a journey. And Mr. Scoresby was ridiculed.

That is very proper: as it is always right to despise other people's projects, particularly when they have no right to project, and ought not at least to be wiser or more clever than their betters. But it came to pass, as has happened in other cases of projects, that when the projector was supposed to be forgotten, the project was projected over again: being then quite as rational as it had formerly been absurd. And it was intrusted to captain Parry, and he carried it into execution, and he did what mortal man could do, and the project failed, and captain Parry wrote the book, and the book is before us, and it is the shortest and therefore the most laudable book that has ever been written in quarto upon Arctic voyaging.

We may take up our navigator after his difficulties in finding that commodious harbour for his ship, the Hecla, which he had expected on the coast of Spitzbergen; for that is no more than the log-book matter which we have had so often, that any one of all the books would almost serve for any other. Yet it is an important fact as to the effort, if not perhaps as to the result, which nothing apparently could have mended, that much time was lost in this dreary and provoking work, and that after finding a station for the ship in Treurenberg Bay, the boats were not able to depart on their proper voyage, if voyage it can be called, till the 21st of June. But we must describe in brief what the scheme of travelling was, partly because we do not well see that it could have been much better, and partly because it proved in spite of all care, a very inefficient one, to say nothing of the intolerable hardships attending it.

The nature of the ice that was met with was entirely different

from what was expected, and captain Parry has given good reason to believe, that the anticipations were originally and essentially wrong. A flat field had been supposed, apparently because, as seen from captain Phipps's mast-head long before, this kind of ice did appear flat, level, and smooth. The present navigator's explanation solves the mistake very naturally. Mr. Scoresby had proposed to travel in sledges by the aid of Rein deer: but, ultimately, this was found impracticable. There were two strong, flexible, and capacious boats, however, constructed for this journey, which were capable both of rowing and sailing, and of being drawn as sledges across ice, and the end proved that no power but that of men could be employed in this latter service, from the extreme irregularity of this ice, and very especially, from the frequent necessity of launching the boats into the sea and hauling them up again, or of traversing pools of fresh water formed on this irregular surface. Field as this might have appeared in speculation, or even as seen at a distance, it proved in reality to be a heap of fragments of irregular shapes and of all sizes cemented together, often leaving salt-water intervals, and more often ponds, or weak places and holes, where there was frequent danger of falling through: while the occasional presence of soft and deep snow, the occurrence of fresh snow storms, the falls of rain, and the frequent fogs, produced a complication of such impossibilities and toil and dirt and hazard and discomfort, and of all but despair it would seem, that we only wonder at the courage which endured for three days, far less for six and thirty.

It is plain enough, that the thing would have been done, had it been possible; but it would not have been possible, even had this misrepresented ice-field been firmly attached to the Pole itself. Unfortunately, however, it had not even this merit: so that while these hardy fellows were labouring to the north with two steps forward, sometimes at the rate of three or four miles in ten hours of toil, and sometimes not even at this tortoise pace, the ice itself was carrying them one step to the Southward, inasmuch as it was steadily drifting, and very rapidly, under occasional north winds, in the opposite direction to their course. Admirable were the patience and perseverance, that could endure all the recorded provocations, beyond all that we have read of in all these voyages. Labour and danger, united are exciting; and the last brings either its consolation or its remedy, in some shape: but to be for ever climbing a hill of slush and stones and snow and water, dragging one leg after another, and dragged back at half the rate of the advance, seems to us, the greatest trial to which mortal patience can be

put, even with good beds, dinners and suppers, dry clothes, and the prospect of an end after labouring long enough: of all of which, the whole were wanting. A man is a real hero, who can be either active or passive as circumstances demand; and if ever we envied men's properties and tempers, we would rather envy captain Parry and his followers, than most men that we have ever known.

It is too late in the day for us to repeat now, in detail, how this was all done, and what was done and not done. It is all well known: but the final result was, to reach, as it would appear, the latitude $82^{\circ} 45'$: and, as Mr. Scoresby states, that $81^{\circ} 12'$, had been reached by sea formerly, the additional approach to the Pole, after all this toil, was little more than a degree. To complete this brief tale, the party quitted the ice after forty-eight days residence on it, having made a much shorter return than progress; the distance travelled, having been five hundred and sixty-nine geographical miles, while the additional miles produced by the obstructions bring the sum to nine hundred and seventy-eight, or one thousand one hundred and twenty-seven common miles. It was on the 19th of August that they returned to their vessel, and we need not retrace the usual, and no longer interesting voyage home.

It is plain that no failure could be more complete; while neither means, nor courage, nor talent were wanting; and the ill success appears to have thrown a complete damp on the projectors at home. The question, however, still remains: is the thing possible, and might not this failure be attributed to a complication of accidents, to circumstances not necessary or universal? Captain Parry's opinion seems to tend strongly that way. His summer was a bad one, and his original detention was long and unexpected. It is thought that another meridian might afford a smoother road, but on this we do not know how to judge. It is thought also, that at an earlier season the ice would be more practicable: and it is certain, moreover, that an ice-field is so variable, that some future summer, or even a different portion of the same summer, might produce a smoother one. And, under all this, it is suggested, that a steam vessel might, from its superior advantages, hereafter stated, contrive to reach to perhaps, 83 in August, to winter there, and then take advantage of an earlier part of the season, with similar means, and with a very superior chance of success. But of this enough: for our space warns us to begin to shorten sail. More might have been said; but that more we must not say.

We must now turn to captain Franklin, the general result of whose labours we have already given. And we must pass over

the whole of his *previousness*, or of the records of the winterings, to state, first, that after arriving at his station on great Bearlake, late in the season, he continued to visit the sea shore in the first summer, so as to obtain a general notion of what his more serious duties would be in the following one. In that year, 1826, leaving his winter-quarters in June, the whole double party pursued the course of Mackenzie's river, which they entered on the 22nd of this month, and contrived to reach the point where they were to separate east and west, on the 3rd of July. Nothing can possibly be more uninteresting than the country, or the adventures, or else the narrative: for it is impossible for us to say which is in fault. Neither here, nor any where else, except with the slenderest exceptions, is any attempt made to describe a country, which surely cannot be utterly without features, when it contains "rocks, woods and water," rivers, lakes, forests, plains, mountains, cascades, and every other constituent of nature's landscape. We do not understand this: but we can understand that something more interesting than such passages as the following might have been extracted from a country of this character, and a country so little known: and there are many of a far less exciting quality.

'In the passage down the river, we were visited by several Loucheux, who, the instant we appeared, launched their canoes, and came off to welcome us. We landed, at their request, to purchase fish; yet, after the bargain had been completed, an old woman stepped forward, and would only allow of our receiving two fish; she maintained her point, and carried off the rest in spite of all remonstrance. The natives were all clothed in new leathern dresses, and looked much neater and in better health than last autumn.'

It is far worse than this, however, very often; and we do really think such writing an absolute grievance, and especially if it is to be made up, into such books at such prices. Here is another specimen, turned up by mere chance.

'The chimney of the last of the buildings being completed this morning, the flag-staff erected, and all the men assembled, we commemorated these events by the festivities usual on the opening of a new establishment in this country.'

This is the history of the winter-quarter in 1825, and surely it was more than enough. But the Captain's Journal contained more, and it must be inflicted as this:

'The first part of the ceremony was to salute the flag: the men having drawn themselves up in line, and the women and children, and all the Indian residents at the fort being disposed in groups by their side, a deputation came to solicit the presence of the officers. When

we appeared we found our guns ornamented with blue ribbons, and we were requested to advance, and fire at a piece of money which was fastened to the flag-staff. The men then fired two volleys, and gave three hearty cheers, after which, Wilson the piper, struck up a lively tune, and placing himself at the head of his companions, marched with them round to the entrance of the hall, where they drank to his Majesty's health, and to the success of the expedition. In the evening the hall was opened for a dance, which was attended by the whole party dressed in their gayest attire. The dancing was kept up with spirit to the music of the violin and bagpipes until day-light.

Now a man needs not really survey polar seas, for the purpose of bringing home such records as this; and we think it very abominable, that we must pay so many guineas for this species of information, which in some similar form, occupies the far greater part of both the enormous quartos under this name. We were bound to make out our ease by facts; and if we do not try to check these abuses of the book-trade, why are we what we are? For the worthy man, in his shape of author, we are sorry: had he been a mere author, not having done what he has in geography, his reprimand would not have been so slight.

And it is vexatious, even for our present purpose, so great is the toil of finding out what there may chance to be in those great books, worthy of being abridged or extracted. We turn backwards and forwards twenty times, and the end is to shut the book in despair, as we have done twenty times already, but to begin again. The evil, indeed, is now irreparable, as to the past: but we can assure the next writer of polar quartos, who will probably be the impending voyager, that should he follow this pattern, and we hold our seats, his visitation will not be so gentle. Let us do one act of justice, however, in remarking that Dr. Richardson's share is so far different, as to make us suspect that he could have written very much more to the purpose than he has actually done.

It is well known, that it has always been the opinion of captain Parry, that the complete navigation of this coast is most likely to be effected in the direction in which he himself has so often proceeded; and we must presume that this is also the decided opinion of captain Ross, since his intention, as it has now for some time been publicly announced, and as we shall notice more at length immediately, is to follow captain Parry's course in every thing. But captain Franklin differs very essentially in opinion, and there appears to us so much sound sense in his remarks, founded on his own separate experience, that we shall here give the bearing of them.

In making the attempt in the manner so often done, the previous voyage is short, and the equipments and health of the men are entire, or presumed to be so, when the real labour is to begin. We add the word *presumed*, ourselves, for the facts have not proved such. Stores and ships, if not men, have been worn out in reaching what may be called now the starting point; and captain Franklin might have said thus much in answer to captains Parry and Ross, though he has not. But what he does say we will add. There are prevailing north-west winds during the time that the ice is open, and thus a passage eastward becomes much more easy than one westward. Moreover, the land westward of the Mackenzie river is inaccessible to ships, being flat and shelterless; whence it would be advisable to surmount this portion of the voyage in the first season, that some place of refuge might be reached for the winter. Captain Franklin admits that he found no easterly current himself; but he still thinks it possible, and if it exists, it would be an additional aid. And in detail he says, that if a vessel quitted Icy Cape about the middle of August, she might secure a wintering place to the east of Cape Bathurst, whence she might proceed in a subsequent summer, so as to reach Baffin's or Hudson's bays, through one or other of the probable inlets already explored. All this appears to us reasonable; and we cannot see the value of captain Parry's leading reason, even were it invariably true; because we cannot see why the expedition might not proceed from Kamtschatka in a state of perfect health and equipment, if, as appears to be the political fact, there is a perfect union of sentiments between Russia and Britain on this subject.

We have said little about the detailed contents of books which are long stale to the public, and therefore more so to Reviewers; and what was left for us to say was in the nature of censure as booksellers rather than authors, and of caution as to future books. And having dismissed this weary task, we shall conclude with the one remark, that Arctic travelling like "misery, makes a man acquainted with strange bedfellows." But what is to become of future maps and future geography, if every millstream and rock, and snout of land on a desert shore, are to be covered with such designations as George the Fourth's Coronation gulf, Sir Peregrine Maitland's point, and such other endless and Morning Postists denominations. Why, Saskatchewan and Skinnectady are music to our ears compared with such a barbarous nomenclature as this. Cape Stokes, Backhouse, Fitten, and many more such; what will posterity know or care about these, my "very esteemed and learned and able and scientific," and "unknown friends," more than about

“Smith, Brown, Jones and Robinson.” Who knows or cares about them, who are they; and what have they to do with ‘Arctic geography,’ or any geography, or any thing else? Franklin and Parry, and Ross and Beechy, and so on, we can understand; their rights are clear, and the honour is thus an honour; nor do we much object to Melville and Barrow, and Croker, since the geography becomes thus a historical record, and not an unjust one. But the very honour is lost while the absurdity is committed: and like the red ribbon of the legion of honour of a Parisian hackney-coachman, that which might be a distinction becomes a jest. Gog and Magog and Atlas are among the few great men of antiquity who have given their names to mountains, so different was the modesty of former days from the present; nor can we find that even Strabo and Herodotus and Ptolemy and Mela and Scymnos, ever attempted to monopolize a river, a cape, or a mountain, or a bay; far less that those little men, the Pharaohs, and the Cyruses, and the Alexanders, and Aristotles, and Platos, and Hannibals, and Miltiades, and Hadrians, and Pericles’, or even the Babers, the Timours, the Akbars, the Mahomets, the Charlemagnes, and the Alfreds, are ever likely to be remembered in future days or maps, when those wonderful philosophers, conquerors, geographers gods and goths, the Conybares, and the Sir George Clerks, and the Sir Humphreys and the Sir Nobodys, shall be rearing their honoured and lofty heads to the skies of future ages. We do not well know on which side the folly and the bad taste are the greatest: and if it is imitated from the botanists and the mineralogists, the examples were only fit for avoidance. The botanists, or the nick-namers of God’s herbs, poor creatures, had some kind of excuse in the multiplicity of the objects in their “lovely science” of hard and ever-changing words, since they wanted industry to collect the popular names, which might have aided them a little more than they have done, and Greek and Latin to invent those which all nations have agreed on accepting. Yet even then, why did they not limit these honours to those who had a real claim to them; that so we might have had an aristocracy somewhat above the rank of a Peg Nicholson knighthood in the court of Flora. As to the *lites* and the *ites* of the calculators of crystals and cockle-shells, the honour commenced with titles as estimable as that of a knight of the post, and has ended in a lithical Sirdom equally attractive with *one* equestrian reverend designation that we must not name. Pray, gentlemen, reform the whole system of nick-namery altogether; be it a cape or a bay, a weed or a cockle, a coat without a tail, or a stratum of bread and butter and

beef, or of limestone; Dolomite or Sandwich, Argyll, Spencer, or Wellington boot, Huskisson headland, Blucher shawl, Jacksonia or Thomsonite.

We have already said, that a new expedition had been planned for the pursuit of the subject which we have thus been discussing; and it is our duty to tell our readers all that we have been able to discover respecting it, though that all is not the whole. Thus far, however, we can at least safely praise the spirited capitalist or merchant, who has fitted out this adventure of discovery, since his name has been carefully concealed from the public, though for what reason we cannot conjecture. And it is a spirited act—an act worthy of Englishmen, to whose courage, talent, and money and hazard, it is for ever left in this country to do what, in all others, is the work of a government. And it is our hope and wish, that the adventure of this single Englishman may prove successful, and that on him will finally descend the honour of effecting that which has hitherto failed.

The planning, as well as the future conduct, of the expedition has been intrusted to captain Ross, and he is accompanied by commander Ross, whose experience has now been as perfect as it could be, since he has belonged to all the past expeditions; while we perceive that he never has failed to receive a large share of praise from captain Parry. As these officers, together, we believe, with the master, the same Mr. Thom who was in the first expedition, are unpaid volunteers, we are bound to give them the same kind of praise for their spirit, as we have bestowed on the unknown capitalist. Yet, as to him, it is also right to observe, that as a whaling vessel attends the discovery ship, there is some chance that a part of his capital, at least, will be returned to him, as he well deserves.

Of the expense of this outfit we have not been informed, but the following is, we understand, the arrangement as to the ships. The Victory is a steam-vessel of two hundred tons burthen, having been raised on from one hundred and sixteen, and strongly fortified against the ice, in the manner adopted for the ships of the former expeditions; besides a further security against the pressure of this enemy, consisting in lateral masses of oak, supported within by strong beams and diagonal shores. That part of the side next the paddles is of three feet in solid thickness, and is further covered with iron. The engines consist of two twenty-five-horse powers, with high pressure boilers of Braithwaite and Erickson's patent; esteemed, now, much superior to all others, and possessing, in this case, the peculiar advantage of permitting the use of oil, or any fuel, as well as of

coals. The mould of this vessel is further such as to admit of her rising much more easily when pressed by ice, than any vessel yet employed in this service; and the paddles, which are on Robertson's plan, can be lifted four feet out of the water with perfect ease. There is no funnel, and she is rigged as a three-mast schooner, so as to form a perfect sailing-vessel, when the paddles are raised: while she is also painted red, as this colour is found to be more visible than any other in a fog. The crew consists of the captain and the commander, the master, a surgeon, two engineers, a carpenter, an armourer, and eight seamen.

This, the exploring ship, is accompanied by a decked and ketch-rigged tender, of fifteen tons, similar to that which captain Parry had on his last expedition, as a security chiefly for the men, in case of the loss of the *Victory*; but, besides that, there are also two boats, similar to those which captain Franklin used; which would, in case of further accidents, still answer the same purpose. These latter will be carried out in the *Whaler*, which also serves the purpose of a store-ship, so as to deliver the entire expedition fully fitted out for sea, at the point where it will be necessary for her to return. This vessel, the *John*, is a teak ship, and is esteemed one of the strongest and fastest sailing vessels in the fishery, having been, further, additionally strengthened, and being manned with a crew of thirty-seven men, besides the usual officers.

As both the gentlemen have proved themselves able observers, so they have provided themselves with the necessary instruments and books; whence we have no reason to suppose that the interests of science will be neglected, since to all their knowledge and practice, they now add the experience accumulated in the former voyages. Commander Ross, as the past voyages testify, has shewn himself a zealous and perfectly sufficient naturalist. We have heard, but are not equally informed, as we are of the rest of the facts, that the several learned societies will afford the usual assistance, and it is equally reported that the great officers of his Majesty's government, most naturally interested in this question, have expressed their high approbation of the plan and the intentions, in granting their leave to the naval officers. It is but just also to say, upon authority which we have no reason to doubt, that the admiralty department has shewn perfect liberality; not merely in stating its goodwill and approbation, but in offering or giving assistance in the nature of ~~charts~~ ^{charts} and instruments; in furnishing dock-yard stores at first prices, and in lending or giving the boats used by Captains Parry and Franklin. One advantage we think we can perceive in this case, which the former expedi-

tions have not possessed. As far as all the instructions formerly issued can be of use, the officers may profit by them; but they are neither hampered, nor directed, nor restricted by the latter. They are without orders; and without other responsibility than the moral one which relates to the lives and comforts of their crews; and we presume we need not say, that a considerable source of anxiety, and no small cause of impediment, are thus removed. There is no critical public to fear, nor court-martial to hang over, nor promotion to be hazarded; nor, what is perhaps a greater escape than all, no individual to contend with, either before or after, because his notions have not been followed, or his prophecies not fulfilled.

What balance ought to be struck between the expenditure of time and money, the hazard of life, the certainty of hardship, and the problematical gain of honour, is not for us to say; but it seems at least amply settled now, that there is nothing but honour to be gained, while there is every thing to lose, even to the missing of that very honour itself. It has happened, that those rewards formerly, and for so long a time, proposed by parliament, and held out equally to private and public adventure, have been withdrawn, by a new rescinding act. The coincidence is singular: but we must laud the spirit, on all sides, which having projected this expedition before that amendment, scorned to abandon it under so unexpected a disappointment; and we know not but that all parties ought to be gratified at such an opportunity of proving that they possessed that superiority to views of gain, which is said to have been fast disappearing among Englishmen, and that their own honour will come out from the trial, pure, whatever fate may befall the expedition itself.

In a former part of this article we have indicated what remains unknown of this frozen American coast; and can now, therefore, proceed to indicate the present intention as it has been made public through the various persons in communication with the parties. The Steam-boat and the Whaler will proceed together, leaving the river about the middle of April; and they hope to reach the place where the *Fury* was abandoned, about the beginning of August. But wherever the Whaler is compelled to stop, she will make up the provisions of the *Victory* complete for three years, and her coals for two thousand hours, at which time the voyage of discovery will commence. It is also expected that they will be able to recover the *Fury's* abandoned stores and coals, so as to appropriate such things as may be of use to them. The further proceeding then is, to explore the five hundred miles which lie from this place to

Cape Turnagain, should this prove practicable, and in case of success thus far, to proceed westward, and to complete in a similar manner the one hundred and sixty unknown miles which commence at captain Franklin's westernmost point, and terminate at Icy Cape. Supposing this to be effected, the expedition proposes to end as usual at Kamtschatka.

But we must not forget in addition, the advantages which the expedition possesses from the use of a steam power. We believe that the inevitable loss of time in working through the ice, has been one of the leading obstructions to the past attempts; since the result has been, to shorten the already short summers, and thus to cramp the whole work, in a manner sufficiently obvious. Now, it is known that calms often prevail in these seas, even for many weeks, as is especially remarkable in the account of captain Parry's last voyage; and against this serious cause of time lost, the steam-power, is the obvious remedy. But this is not all; for if we have rightly extracted the conclusions which are so unmercifully obscured through all these ponderous quartos, it is in calm weather that the ice opens most readily, so as to admit of working through it at the very time when, for want of wind, it is impossible to work. We perceive that, in such cases, the former ships have often not gained ten miles in a day: the steam-vessel may effect as much in an hour, and the consequences are too plain to require restatement. Nor is this all; since it seems equally a fact, in all the parts of experience as well as in that of the Whalers, that as the ice closes before a vessel when the wind is fair for her course, so it opens with an adverse one, and thus admits of a passage by which she can profit but very imperfectly, since her time is wasted in beating to windward; and in these cases, we need not also say, beating to windward is not only peculiarly tedious, but extremely hazardous. Here, again, the steam-vessel will gain time, and probably also security, from the far greater facility of avoiding concussions in a direct steerage, than under the perpetual and often quick changes of course required in beating through what may be called a narrow and rocky channel.

We do not know why this scheme was not attempted before, for it was suggested long ago. It is assuredly plausible, as certainly it is lodged in practised and expert hands; and we believe we only speak the sentiments of the public at large, in wishing it success, and in wishing that the honour of this long-pursued discovery may finally rest on those who, to their present claims, add others of an older date, and in the case of commander Ross, in particular, of no common magnitude.

ART. XV. *Le Livre Noir, &c. i. e. the Black Book of Messrs. Delavau and Franchet; or an Alphabetical Repertory of the Political Police, under the deplorable Ministry.* A work printed according to the Registers of the Police-Office. Paris. 1829. 4 vols.

A GREAT deal has been said and sung against the police spies, mouchards, &c. of France, but little or nothing, prior to this publication, was known of the *modus operandi*. The police has always been the bugbear of Paris, and when Jesuitism came to be coupled with espionage, all good people began to think that it was time to hold their tongues and give up such acquaintance as ventured upon any thing so dangerous as an opinion. The appearance, however, of the Black Book, is an epoch in the history of this redoubted organ of government, half shadow, half substance, a Proteus in form, a Machiavelli in spirit, masked, disguised, penetrating through key-holes, gliding into the midst of all crowds, eaves-dropping at every clink, in short omnipresent, and all-catching. The bugbear now has a lighted candle held to his face, his ugliness is exposed; it is true, the creature is filthy and base, but not half so formidable a monster as has been imagined; he is in the condition of those ghosts who, when confronted with a lantern, turn out to be nothing more supernatural than a sturdy villain in a sheet, with a plate of flaming spirits of wine in his hand.

The Black Book is neither more nor less than a part of the private records of the Political Police under M. M. Delavau and Franchet, during the reign of M. de Villèle. These documents have been stolen by some faithless employé, who has sold his booty to a bookseller, without staying, however, in France to reap the reward of popularity which will necessarily follow this disinterested attempt to benefit his fellow citizens.

These four substantial volumes contain in alphabetical order the names of persons who, in the interval between the earliest and latest dates, have been honoured by the surveillance of the police. When the prefect of this branch of the government was informed by any means of the arrival in Paris of a person, whom for any reasons he chose to suspect, he drew up a short note containing the name and description of the individual, with such additional circumstances as had come to his knowledge. This note was addressed to the chief of the Central Bureau of police, which, in other words, seems to be nothing more nor less than a Spy-office. At this time the prefect of police was M. Delavau, the director M. Franchet, and the chief of the Spy-office M. Hinaux. To this latter gentleman, therefore, it was, that the note duly numbered, dated, and marked *Cab. Part.* or private cabinet, and was sent with a special or particularly

special recommendation, that the therein-named individual should be looked into and after, by all such means as M. Hinaux could command. After the note comes the answer; often there are successive answers, just as the information was obtained, or as the watch was continued. These answers are signed by the spies themselves, who are employed on the occasion; and oh! what a world of villany is here laid open for the contemplation of the enlightened subjects of Charles X. The villany is, however, equalled by the folly, and one knows not whether to grieve or rejoice that so many men should have damned themselves for nothing. In spite of all the lies, the hypocrisy, the base breaches of all honourable ties, in spite of the most flagrant provocation to crime, and the employment of the most infamous means of corruption and seduction, the whole ends in smoke; we cannot detect that all this elaborate machinery ever effected one solitary benefit to the persons who set it in motion. Nero sticking flies with pins is held up to children as an example of cruelty, but what should we say of the fool who slaughtered them with a steam engine? Our readers will be amused by running over some of the affairs in which these ingenious persons wasted their brilliant talents, and certain we are, that no better employment could be found for any writer than that of proving the folly and inutility of such an establishment, as well as its detestable wickedness. No doubt can be entertained of the authenticity of the work; on the face of it the impossibility of forgery is evident, and we are credibly informed that the efforts of the present police to regain possession of the MS. were incessant and most active; for though it is to be understood that the present ministry is of a more liberal and enlightened cast than that of Villèle, we are not to suppose that as yet the French government is sufficiently advanced to throw aside altogether a weapon which has hitherto been considered so efficient an instrument of defence. The numerous instances here brought together of the fruitlessness of the most deeply-laid plans of surveillance, as well as the blunders of the most adroit of the agents, who are often led into weeks of careful vigilance or active inquiry by the most insignificant circumstances, may perhaps undeceive them as to its presumed advantages. The fact is, that the amusement with which the perusal of these volumes tempers our indignation, is the ridiculous spectacle of seeing a scoundrel on a wrong scent, to witness his absurd suspicions of an accidental and unmeaning circumstance; his laborious efforts at solving a riddle which has no meaning. To give for example the case of Ridé the carrier; there is no reason why we should not commence with this complete comedy of *Much Ado about*

Nothing, in five acts; a title by the way which would serve for the whole work. The history of Ridé will shew that there is nothing too low for these gentlemen, and scarcely any thing so insignificant as not to alarm; whereas it is singular enough, that when any design or conspiracy was really on foot, they were the last to hear of it, and if a person, decidedly worthy of the attention of the police was to be apprehended, it has very rarely happened to be the officers of this department that hunted him out of his concealment. But, with regard to Ridé the carrier—Under the date of the 10th March, 1822, the prefect of police writes that Ridé the conductor of the waggons or vans of the house of Mazier of Nantes, is connected with some marked individuals among the factions; and that he is informed, that on Sunday the 3rd, he made use of seditious expressions: among other things saying, “General Bertrand is with us, and many others—I know the general—I carried him lately a nurse for his children: we may reckon upon him.” Concerning this person, evidently so dangerous, the prefect desires to receive particular information. The answer is dated the 22nd of the same month, and bears that Ridé is not at that moment at Paris: that his abode is ascertained, and that on his return he shall be “associated with, made to talk, and his goings on looked into.”

It seems that the prefect waited up to the 14th May, without receiving any farther intelligence of the factious ‘conducteur,’ he at that date writes an angry note, marked Cab. Part. 9491, to remind the Spy of his promise.

The second answer states, that nothing had hitherto been learned of Ridé, for the plain reason that Ridé had not come to Paris: but at length on the 23rd of May, we have a full account of him and his ways. The report runs thus:—

‘On the 21st. between the hours of six and seven in the evening, Ridé and his waggon arrived at the coach office of Mr. Bonjour, the elder, Rue d’Orleans Saint Honoré. Ridé immediately went into the office of the aforesaid Bonjour, on whose desk he placed some letters and other papers, the last covered. Returning to the voiture, he drew from it some packets of a middling size, and two small cases bound with string, which he carried into a chamber on the ground-floor near the kitchen, of which he keeps the key. After having superintended the unloading of his carriage, Ridé repaired to the house of Debray, wine merchant, opposite to the warehouse, in order to sup with several persons belonging to it. *We were at a table opposite to his, and nothing escaped us: Ridé did not utter a word of politics.*’

‘The 22nd, from six o’clock in the morning we were at our post: we had a sufficient pretext for accosting Ridé, who in order to converse with us, took us into the room which serves him for a ware-

house, where we saw nothing but cases, and bales of goods. After some gossip, we took him to drink a glass of wine. Ridé most assuredly is not a cunning man : and yet it is impossible to draw a word of politics from him. Our best-managed questions were always answered only lip-deep. He is in fact, excessively timid, and the slightest thing would render him suspicious of any one.

Ridé betook himself to his lodging. He occupies an apartment on the wine-merchant's first floor, and we have been enabled to observe his goings in and out, several persons conversed with him, but from the shortness of their colloquy, it was easy to perceive that it was not political.

About eleven o'clock, Ridé went out with a young woman, who appears very closely connected with him (poor Ridé). In Rue St. Denis, he wished to buy an office-seal : but he could not find one with M. and F. interlined in a cypher. It was doubtless a commission. He then entered, still with the young woman, the house of Sieur Chauvet, who keeps the public house, Saint Magloire, Rue St. Denis, No. 166. He did not come out for two hours. He was then alone, and went to the Hotel St. Aignan, Rue Ste. Avoys, afterwards to Rue Quincampoix, No. 34, in a house principally occupied by Javal, a dealer in Roman goods. Remark that Ridé, during all these calls, carried no parcel, and that he went home with his hands empty.

About eight o'clock, he came to Debray, the wine-merchant, with some carriers. Some bottles of wine were drank, but the conversation turned entirely upon their business of carrying ; after which they went to bed. On the 23rd Ridé was solely occupied with loading his van. About eleven he entered the public-house above-named : there was with him the blacksmith of the waggon-warehouse, and the guard of one of the coaches. Amongst other things, they talked a little politics, and mentioned Nantes, but in a manner so vaguely that we do not know what meaning to attach to these words of Ridé. "*That will not be ended in our days ; every day there is something fresh.*" Ridé on leaving the public-house, went to Rue Bouloi, No. 19, the office for the Post-Berlines, and thence to the Palais Royal, where, after having lost sight of him, we found him again with a large packet of books under his arm. There were about five or six volumes in 8vo, wrapped up in brown paper and tied with string. At ten o'clock he finished packing, and left Paris at a quarter to twelve o'clock at night, (the traitor !) in a van containing boxes and small packages, and following his principal waggon filled with large cases and bales.

It might have been supposed that there was nothing more to be learned respecting this very steady and industrious carrier whose sole iniquity in Paris seems to have been confined to the suspicious circumstance touching the young woman. But M. Delavan and his agents were not thus to be deluded. Since they could not make Ridé a political character himself they determined that he should be the bearer of political despatches.

With the view of ascertaining whether the liberals of Nantes corresponded by his means or not, farther requisitions are made, and for several more journies the ways of Ridé the carrier are closely watched, his bottles of beer counted, his brown paper parcels measured, and his idle gossip, his mysterious looks, and even his little intrigue nicely examined, and faithfully recorded by the spies of his Most Christian majesty. The result was nothing in Paris; whether the police fared better on the road is not known, but the Spy recommends that poor Ridé should be seized at a convenient distance from Paris, under the pretext of examining his baggage and his person, for smuggled playing cards and music-paper.

In the case of the carrier, the Spy was not called upon for any great exertion of his talents, except indeed that of patience; his business was to drink beer in a cabaret, and dodge the commissioner. But in more delicate cases it was necessary to invent a *pretexte convenable*; to pretend to the politician to be an enthusiastic liberal; with the members of secret societies to propose to procure initiation; to an embassy it was necessary to carry, or to be supposed to be in possession of, valuable information; with travelling merchants, an affair of business was invented, and the farce was maintained as long as any thing was to be discovered. Sometimes the mouchard wound himself into the friendship of his *client*, or entered into his service as secretary or valet: he was ready either to prepare a pamphlet for the press, or to brush his coat. Sometimes he would commence his operations lower down—he would begin by debauching the maid servant. There is one instance in the book where a spy, not conceiving himself calculated to succeed in this line, sent to the pious M. Delavau for a handsome young man who was likely to make an impression upon a female domestic whom it was necessary to corrupt. Several of the mouchards, whose reports we find here, had been officers in the army, a circumstance that gave them no little advantage; first of all it was an excuse for not having any profession; next it extended their acquaintance among persons suspected, and moreover in some affairs it was the grand recommendation. As in the instance under the head of the Spanish Embassy, when the duc de San Lorenzo and his secretary were so egregiously taken in. This affair took place a short time previous to the last invasion of Spain by the French under the duc d'Angoulême. It was suspected at Paris that the Spanish constitutionalists were recruiting in that capital for officers disposed to serve in the Spanish forces. The whole negotiation seems to indicate, that the constitutionalists in of-

ficial situations abroad were as unacquainted with the world and the conduct of it as those at home.

The transaction to which we refer is described in certain notes addressed directly to *Le Chef de la Police Centrale*, by one of his agents, whose signature is simply D. He informs us that one of the *Inspectors*, as they rejoice in calling themselves, called upon the duc de Berwick, Rue Taitbout, No. 31, and requested to be informed how a French officer who wished to serve in Spain should proceed to join the constitutional army. The duke received him with great affability, and told him that he could serve him; that he was to call in a few days; in the mean time he, the duke, would see some one on the business. When the Inspector called again, the duke said, "I have spoken of the affair at the French embassy; you are expected; go there directly; ask to speak to Viniga, the third secretary—you will understand one another." The *Inspector* called upon the secretary the day after the 30th September, who received him with open arms, took him up mysteriously into a little room on the third floor, and made him a long speech, praised his virtuous intentions, and gave him to understand that the Spanish government were in truth enlisting French officers; that they would accept his services, and that he and his comrades should soon receive final instructions. On the 3rd October the Inspector saw the duc de San Lorenzo, the ambassador himself, who received him (the Spy) with "a cordiality truly astonishing." He gave him every encouragement, which, however he told him was without the authority of his court; that in fact he had sent a courier to Spain on the 1st (that is, two days before) for this authority, and he did not doubt that he should receive a favourable answer. It would seem from this, that as in so many other instances it was the Spy himself who first gave the embassy an idea of enlisting French officers, and in spite of what the secretary might say in his first interview with the Spy, they had not decided on any such step. On the 4th, the Spy saw the duke again; on the 5th, he saw the secretary, who told him that, until the ambassador received the authority of the Cortes, he would commission no French officer but himself, and he desired the Spy immediately to procure his passports as a travelling clerk. On the 7th, the Spy had another interview with the ambassador. It had occurred to the duke, it seems, that he had been proceeding with but little discretion: he therefore addressed the Spy in these terms: "My dear Sir, do not be offended, I wish for some information respecting yourself, because the letters and commission which I am about to give you are of the highest importance. Are

you known to any one in Paris, 'who is able to attest that you are really what you say you are.'" The Inspector, who had neither assumed a false name or quality, referred to general Janin, under whose orders he had served in Spain. The duke appeared gratified, and said, "Come to me to-morrow, and if the inquiry I make is satisfactorily answered, I will give you my most unlimited confidence." The next day, the Inspector found the duke perfectly assured of the fidelity of his friend the Spy, and confided to him the nature of the mission on which he proposed to employ him. It turned out to be the observation of the Army of the Faith; he was to be in communication with Mina, and to set himself to discover the surest means of betraying the baron d'Eroles into the hands of that general. After having made this communication, the duke dismissed him, to invent a cipher, in which he might maintain an active correspondence with the embassy. The signature was to be *Francisco Bravo*, and this the Spy wrote upon a sheet of letter-paper presented to him by the duke for that purpose; the cipher was also agreed upon, and the departure of the Spy was pressed for the following Saturday. This, however, it is clear did not suit the police—that their agent should be shipped off for the Pyrenees, and that without obtaining any secret letters and instructions which might commit the duke; and it was necessary to turn the intrigue into some such channel as should enable him to remain, and yet not lose the favour of the ambassador, or at least to procure some papers. This was effected in a manner truly honourable to the talents of the party engaged.

The Inspector waited on the duke on the 11th October, and represented, truly, that he had in the first instance offered himself as a volunteer to the Spanish army; that his object was to fight openly for the cause, sword in hand, but now a very different part was offered to him, that of a Spy (horrible indignity!) upon the Army of the Faith, and upon the forces of France in the Pyrenees, and that too without a single credential or written document for his protection. This speech, well got up, was equally well delivered: the warmth of the orator produced a lively effect upon the duke—he took up both his hands full of gold: "Money you shall not want—I will give it you, or cause it to be given to you, wherever you are, to any extent; but as for letters, I cannot give you any."

The Inspector refused the money, and declared that since it was impossible for him to receive written instructions, he was compelled to decline the employment altogether, and begged that his signature of *Francisco Bravo* might be returned.

‘Your signatures,’ said the duke, ‘are sent to the frontiers as was agreed upon, as therefore I cannot return them, but your frankness charms me—come,—I will confide my letters to you, and will not do things by halves with you. I reckon wholly on your devotion and fidelity, and I will put them into your hands to-morrow, at twelve precisely: I add only one condition, and that is, that you start the moment you receive them: that you take a cabriolet to yourself as far as Etampes, and then proceed post. Copy this cipher (giving him one), by the aid of which we may correspond.’

It was contrived that another cabriolet should be ready to follow Francisco Bravo, and receive from him the papers, before he had got far from Paris. It was expected that Viniga would accompany him: but no letters were ever given: the next day the Inspector, alias Francisco Bravo, found the secretary preparing to leave Paris for Spain, and the duke for England: Francisco then proposed to remain in Paris as their secret agent. From this point, then, starts another long negotiation, which endures for some months, and through many pages. We shall not follow the *erremens* of this affair: we have quoted enough to shew the incapacity of the ambassador and his secretary: it may be a lesson, too, in diplomacy for those who stand in need of being put upon their guard. Not so, the English embassy, under the able management of sir Charles, now lord Stuart. There is, also, a negotiation carried on by a spy similar to the one above quoted: but it is curious to see how the fellow is played with, and ultimately set adrift, as it appears, from his own account, many others had been. It seems that the police had heard of Mr. Darby, whom they considered as the principal secret agent of the English embassy in Paris: they detached, to encounter him, one of their inspectors: he presented himself as an ex-agent of police, and pretended that it was in his power to procure from time to time, important information of what was going on in the public offices. Mr. Darby received him well, and handed him over to one of the secretaries of the embassy. “*Ici,*” says the Spy, “*c’est une petite guerre à soutenir en opposant la ruse à la ruse.*” There is reason to believe, that this Spy is the very Francisco Bravo, who succeeded so well in imposing upon the duc de San Lorenzo: he found, however, that this was a kind of *petite guerre*, very different from his Spanish guerilla warfare. The business shortly came to an end, Francisco was left to cool his courage the whole of one evening, till ten o’clock, waiting to meet the secretary according to appointment, but who never appeared. The secretary had previously given him to understand, that the number of *mala-droit* agents they had unmasked, were not small, and Antonio had

the reflection that he was added to the number, to relieve the tedium of attendance.

The well-known and respectable Quaker, William Allen, of London, will be surprised to find his name registered in the Black Book of the Police of Paris; greater, however, will be his astonishment, when he finds that his route is not only remarked, but after he had accompanied Mr. Grellet, of New York, from Italy to France, that this observation should be made on the effect of his travels—"It is to be remarked," says the prefect of police, "that every country that these gentlemen traversed, rose in insurrection a short time after they had left them." This note is dated 4th May, 1824, and the prefect closes it by saying, that he attaches the greatest interest to learning who are the confidants which these two propagandists have in Paris and the rest of France; and that, although their last excursion is some time back, still he thinks it is not impossible to "obtain some information respecting their connexions in Paris."

It is not very clear through what sources the prefect of police derived the information upon which his notes are generally founded. The names of the individuals entering France were doubtless to be had from the passports, which are, as travellers well know, taken away at every out-port and forwarded to Paris, a provisional, or municipal permit being given in exchange. It seems clear also, that the disembarkation of personages distinguished either for good or evil, are telegraphed from the port. The necessity under which a Frenchman lies, of being armed with a passport, also assisted his inquiries, and sometimes even suggested them: as in the case of Beranger the poet, recorded here. It seems, that on the same day that Beranger, the songwriter, as they call him, procured a pass for Breteuil, did Manuel, the ex-deputy of famous memory, require one, and for the same place. This struck the prefect as flat conspiracy, and he immediately agitated the Spy-office to ascertain what could be the object of this combined movement on Breteuil. The spies succeeded in ascertaining, that not only had these two worthies journeyed together in the department of the Eure, but that they actually dwelt together in the same house in Paris. It was not possible to learn any thing further, for the unhappy Spy declares, that every suspected person who approaches the lodgings of the poet, is kicked down stairs: that a comrade had lately ventured within the precincts hallowed by the presence of the poet, and owed his safety solely to the rapidity of his flight. "We have already," adds the Spy, "had occasion to inform you of these *graves inconveniens*, in several of our prior

reports." The means of information, however, supplied by passports, must have been small, although there is doubtless to the ear of a prefect of police, much in a name. We know some names, the bare mention of which agitates the Spy-office, as a stick thrust in a hornet's nest disturbs the equanimity of that amiable community: the Black Book, moreover, shews us, that to bear the name of Hutchinson, was to carry a mark to shoot at. "Hutchinson! Hutchinson!" the prefect would exclaim: and then like a magician with his wand, evoke his mischievous crew of busy demons: Lavalette, Bruce's, and Wilson's, plot, rescue, and liberty, horrid ideas, crowd into his morbid imagination, and straightway he dispatches his emissaries, big and bustling, with a commission to watch the unhappy Hutchinson, never to leave him night or day, to record his goings out and in, to take the number of his Hackney-coaches, to copy the post-marks of his letters, to see at what time he puts out his candle, who speaks to him, who attends him, where he dines, where he drinks, where he sleeps, and whether alone or not, and above all, to ascertain, whether he is not related to *the* Hutchinson, so well known for his "wicked sentiments." After all, this Hutchinson, perhaps, turns out to be the man most of all innocent of political opinions: it is *only* Mr. Thomas Hutchinson, tailor and habit maker, Pall Mall: and the time of the police has been thrown away: all the money spent in cabriolets driving after Mr. Hutchinson in his Hackney-coach, and all the pay of the spies are wasted, and all the volume of notes, answers, fresh notes, duly dated, docketed, ticketed, and registered, all, all, absolutely useless, and in vain. Poor Mrs. Hutchinson (not the wife of the tailor above named) appears to have been harassed by a train of spies for weeks, chiefly because a young woman, very well dressed, entered her house one day with a brown paper parcel, and when she left, carried away something in her reticule, which reticule she had not when she arrived. This is a private inquisition into the affairs of a lady, which Paul Pry himself would have been ashamed of: the truth is, that the prefect of police, is the Paul Pry of Paris, and the minister's initial signature, will serve both for that respectable functionary, and the more respectable, and but scarcely more amusing, person, the hero of Mr. Poole's farce. We were never, however, more strongly reminded of the Paul Pry of the stage, than by the article on 'the four blind fiddlers. Four blind fiddlers actually arrived from Italy, having only one woman in company, who being able to see, served them for guide and counsel. Now, said Paul Pry to himself, it is very extraordinary that *four* blind fiddlers should travel together; there is something particular in

this ; let me inquire, there is no harm in asking. Paul Pry was right, these men had not come to fiddle ; there was a plot under it : the Coryphæus of the party, the blindest of the blind, was actually the bearer of a letter from the ex-empress Maria Louise to the Austrian embassy : at least so the Spy says, and he adds, to the satisfaction of Paul Pry of the police, that had he only been put upon the scent a little sooner, he should have been able to master the actual contents of this letter : doubtless the blind man would have given it to the Spy to read for him. But the prefect had no ear for music ; he had a spite against professors of the art, and seemed to be just of the contrary opinion to Shakespear :—

“ The man who hath *not* (read hath) music in his heart,
Is fit for treasons, stratagems, and spoils.—
Let no such man be trusted.”

They who knew the late celebrated piano-forte player, Kalkbrenner, will confirm our remark against Paul Pry and his want of ear, when they read this note.

‘ *Cab. Part. No. 11, 596, Jan. 10, 1825.*

‘ The Sieur Kalkbrenner, foreign pianist, has just arrived at Paris from London, *with despatches for the Prussian embassy.* “ This individual, who professes bad political opinions, and whose travels in England doubtless *are connected with the manoeuvres of the liberal faction,* ought to fix the attention of the authorities.

“ I desire also to have some minute information, respecting dame Sophia Dandolo Kalkbrenner (oh ! Paul Pry) his wife, her origin, her political opinions, her connexions in France and abroad, and her *present position.*”
(Signed) P. P.’

The answer of the Spy is a mystification, such as Paul Pry was entitled to ;—

“ Kalkbrenner,” says he, “ arrived with his wife on the 17th of last February. He then had his passport *visad* for Montargis, but when he came back, he gave out that he was a widower ! and nobody knows what is become of his wife.”

At the Prussian embassy, the Spy was told, that Kalkbrenner only pretended to be a piano-forte player : that he was in fact an agent of Prussia, and frequently acted as one of their couriers. That at one time he was kept at Hamburgh, at another at Brussels, and that now he is employed at Paris, “ where,” says the Spy, “ he pretends to be only for his pleasure.”

We give the Prussian embassy credit for their talent at mystifying a Spy : but this is not the whole of the plot :—

“ It appears,” writes the mouchard, “ that for a long time Kalk-

brenner has been in connexion with mysterious individuals, and that one Joseph, the porter of the house, No. 6, Rue St. George, is the go-between in this correspondence. I have just caught, slyly, (furtivement) a glance at a letter in the possession of this person : it bears the post-mark, *Nogent-sur-Seine* : I was able to get a peep into the inside, and saw these words. ‘ *Chateau de Pruslin, or Praslin.*’ I beg that you will carry the letter for me to your house, Rue St. Lazare.”

Here is a stroke of Paul Pryism !

Passports alone, however, could not supply the prefect with one third of the intelligence on which he proceeds to ground his inquiries : as well as we can judge from the nature of his information, he has been much indebted to anonymous letters, and that kind of volunteer espionnage which it is lamentable to find so common in Paris. Wretched men, though shining with decorations, willing to curry favour with persons whom they suppose able to serve them in the way of preferment or promotion, listen at public tables, betray the confidence of friends, lead the habitués of a reading-room into an indiscreet expression, and then hasten with their burthen to the prefect, or to deposit their ordurous disclosures on some dirty sheet of paper, destined to reach the police by means of the two-penny post.

The police makes no exception in favour of the ladies : just as all means are honourable so neither age nor sex is sacred : we find relations led into betraying their friends and connexions whom they would have died to protect : we find boys and girls entrapped into unconscious disclosures, and women sifted in every direction for the purpose of eliciting intelligence : very often it ends only in the exposure of an attachment, or an intrigue—but there are no secrets from the police. In the case of Madame Chauvet, the wife of M. Chauvet, whom they call the “ *Contumax, réfugié en Angleterre,*” they were not content with simply sifting ; the prefect speaks of a letter seized upon her. This letter was written by Duez, the advocate of Chauvet, who, he says, in England has taken the name of Vright (we suppose he means Wright), and contains several mysterious passages : these he desires his spies to elucidate.

The Spy, in answer, recommends that a strict eye *should be kept on the letters sent to England by the post*, directed to the brother of Duez : so much for the sanctity of the post. He himself (the Spy) had done his part by sneaking into one of the apartments of M. Duez, where he saw the outside of many letters with the English post-mark, and got a peep into one where he detected the traitorous sum of £17. 18s. 4d.

‘ We remarked *furtively* on a piece of furniture on the right side of the chimney at Mr. Duez, about twenty letters with the London post-

mark. On one of them which was partly opened, we saw the following line thus written £17. 18s. 4d. !

The slightest circumstance was enough to harass the fears of the police.

The prefect being informed that a Comte de Chassenon traveling from Paris, bought, on the 11th February, a pair of General's epaulettes of a lace merchant which were delivered to him just as he was setting out to Paris on the 15th. This was enough. Comte de Chassenon was put under active surveillance and he was accordingly attacked. A spy presented himself as a seller of epaulettes, which he offered considerably under the market price: the Comte would not buy, but shewed in return a superb pair of which he said, truly enough, he had bought within a month.

The surprise of a great many persons, to find that they have been an object of doubt and fear to the head of the police, will be great, and loud and long the laughs of many quiet persons who have had their little affairs of love or trade taken for dangerous machinations against the state. An Italian, called Pardi, wanted an agent in Paris: he was a fabricator of necklaces, of a stuff which he called, *amber of the seraglio*; and, wishing to economize his resources, he made a little love, and did some business by favour of Mademoiselle Danvers, working milliner, four stories high in the Palais Royal, Glass Gallery, No. 231. If she and signor Pardi still correspond, it will afford them no little amusement, to see how they alarmed the police; how their letters were scrutinized, and how dangerous it was deemed to deal in the *amber of the seraglio*. Mademoiselle will, however, be indignant at the description of her person, by the Spy, and certainly the compliment to her talents will not compensate for his want of gallantry. "La demoiselle Danvers," writes the monchard, as if that concerned the state, "*est d'un physique peu agreable; mais d'un esprit fort délié.*"

The trade of a Spy was not always without its risks: we have seen what kinds of rebuff they met with at M. de Beranger's: Sometimes they were challenged in the street, and pursued from street to street with abuse; and at others, the object of their attentions wished to shew his gratitude by picking a quarrel with them. Mr. Alfred Canisy, is described as acting thus: He was a young man concerned in the affair of Belfort: on his return to Paris, the police narrowly observed his *demarches*: "Twice," says the Spy, "he has observed that our spies were watching, and has endeavoured to quarrel with them, a case in which the inspectors conducted themselves with propriety: that is to say that they have undeceived him, and then retorted

vigorously. Moreover, his landlord and the porter are in his interests; they distrust every body, and one gets nothing but rebuffs and abuse."—Vol. ii. p. 14.

Though it be true that the mouchards when known to be such, were generally execrated: a feeling that even pervaded the other bureaus of administration; for manifold are the complaints of the unwillingness of the clerks in the different offices of whom they sought information, still there were always individuals, anxious to curry favour with the authorities on any condition. For example, in the search for M. Cobianchi, the Spy speaks of persons, who *par zèle pour la cause du roi, secondent puissamment nos efforts dans cette surveillance.*

This attempt at discovering the abode of Cobianchi, is one of the best specimens of the vain labour of the police, and we will quote the Spy's own description of his efforts to find out a man, who was all the while living openly at an hotel, without thought of concealment.

'We dare affirm from that moment to this, that Mr. Cobianchi has not returned home (they having mistaken his abode.) *Disguises, plausible pretexts, surveillance consécutive, both night and day*, all has been employed to learn the name of the country house where we are told he is, or the retreat which he has chosen; and his acquaintances, his habits, the door-keeper, his neighbours, have been explored in every way to accomplish this end but without positive success.'

The lure of money is an old trick of the police. In endeavouring to find out the residence of Desportes, a former officer in Napoleon's army, the Spy proceeded to a house where he had often been denied, with a letter in his hand, directed to Desportes, and a bag of sous, bearing the superscription of 1,000 francs; he was again rigorously denied by the occupier of the house, a female and an old friend; the Spy adroitly permitted her to get a view of the sac of sous, her tone changed, and she confessed he lived up two pair of stairs at the back. He had here his housekeeper, a woman of forty to encounter, she strenuously resisted until the all-powerful sac of sous again produced its effect, and she confessed, though not at home, he really did live there, and would be at home on a particular day. "If, therefore," concludes the Spy, "the authorities wish to make sure of his person, they may now take the means."

The following scheme is a stratagem of another kind; for all kinds of fish the police had the appropriate bait.

It seems that the curiosity of the prefect had been excited by a Mr. Murphy, ~~an~~ Irishman from Cork. A spy presented himself, and soon obtained from the unfortunate gentleman, the particulars of his history. He had travelled in Spain as tutor

to a Scotch gentleman, whom the Spy calls Sompson, who died in Spain; since which he (Murphy), had supported himself by teaching. At the time, he had but few scholars, and lived a modest and sober life. The Spy concludes his report with this cruel piece of irony :

‘ In order that the authorities may appreciate at its just value, the information contained in the present report, they ought to be told of the means which have been used to procure it. Let them understand, then, that a very wealthy individual wishes to engage for his son a tutor, who has travelled; and who perfectly well understands the ancient languages. Now, having heard of the excellent character of Mr. Murphy, he addresses himself to him in the first instance, in preference to every other.—The salary is 500*l.* a year.’

Unhappy Murphy! for how many days did he watch in anxiety the rich man’s summons: how long was it before the fatal conviction sunk into his heart, that he had been hoaxed. The stratagem is, however, a mere pleasantry, compared with a forgery practised upon the widow of Marshal Ney: the hardened cruelty of the trick is made more hateful by the futility of its object. The wretch who forged the following letter, simply wished to ascertain where the *Maréchal* happened to be in retreat with her two sons: she generally passed the season in Paris, and very soon after the date of this letter, the family took up their abode at their hotel in Paris.

‘ Madame la *Maréchale*; *Paris, Nov. 5, 1823.*

‘ Having had the honour to serve for many years under the orders of your noble husband, M. le *Maréchal* duc d’Elchingen, I beg to be permitted to address this letter to you, in order to learn in the speediest manner possible, by what sure and prudent means I may cause to be transmitted to you, a piece of information which deeply concerns yourself, and most especially your two sons.

‘ The numerous benefits which I have received at the hands of M. le *Maréchal*, make this step an absolute duty.

‘ Deign, Madame la *Maréchale*, to accept the expression of my sentiments of gratitude, respect and devotion, with which I have the honour to be your most humble and obedient servant,

MOREL, retired captain,

Rue Mandar, n. 9,—Paris.’

Under every possible view, this is an infamous letter to a widow, grieving for the fate of her husband, and anxious for the welfare of her children. It might have been expected, perhaps, that the forward villainy of the mouchard would have been condemned by his superior; but no, we find M. Dilevau entering into the shameful scheme, and only careful that the information should be obtained by any means, however foul. A far less in-

famous forgery than the preceding, and one too somewhat amusing, shall conclude our notice of these anecdotes of the police travestie. Under the name of Pompei, a gentleman from Corsica, and a friend of General Sebastiani, we find the following scheme put in practice for discovering the residence of a person who had left his lodgings. It was expected that General Sebastiani knew at least where Pompei had taken up his abode.

All the valetaille of the General's house were questioned in vain, "so that," says the Spy, "we were compelled to use a new stratagem. We wrote the following letter to M. le General Sebastiani.

Mosieur;

'Je vous dirè cun mosieur de la Corce et veñut logé ché moi le 3 d'avri y ce nomet Pompei, il a lecé un gran porte feuil noire ché moi, que je voudret Ini rendre: comme on nat dit que vous aite dela coise, ausi peut aitre que vous savi onsqe demeure se mosieur pour que je li randes gon portefeuil.

Mon bau frer qui portes ma lettre prendrat vos raiponse

Vottres mble et soumise servante

Venve fine ORION

En de caque Saint Paire, n. 4.

'One of our inspectors to whom we gave the necessary instructions, was commissioned to deliver this letter to General Sebastiani; a servant carried it to his master, and the pretended beau-frère was summoned to his presence. He then put several questions to him relative to the port-folio, but said at the same time he knew no one of the name of Pompei, but that he would make inquiries. The beau-frère was going away, when the General abruptly asked "What is your business, Sir?" "I have been foreman to Mr. Salleron, the tanner, for this five and twenty years!" the inspector instantly answered, according to his instructions. These words spoken without hesitation produced the desired effect, the General called a servant and said, lead this person (pointing to the brother-in-law) to M. Pompei's apartment.

'The beau-frère was in fact taken to M. Pompei, who was still in bed in a superb apartment on the first story, looking into the court. A new interrogatory took place, which the inspector satisfied, as well as the others. Pompei protested frankly that he had left no port-folio, loaded the beau-frère with praise and thanks, and begging him to tell his sister in law, not to mention the place of his abode to any one.'

We are not to suppose that a body so inquisitive, and so readily alarmed, should not be frequently and easily led astray, sometimes by accidental circumstances, sometimes by the ingenious malice of its enemies, and all honest men were such. Some of these mistakes have been mentioned; and as we have picked out several of the stratagems played by the police, we will end with one played upon them.

In a note dated Feb. 5, 1825, the prefect writes that a

M. Berthoud, a Swiss by birth, and a traveller for the house of Kinder, in London, has come to France to sell 100,000 muskets, said to be in dépôt in Italy. The answer informs the prefect that it is true that Berthoud has got muskets to sell, that there had been a mistake as to the number, which was not 100,000, but 13,000. "These muskets" says the Spy "have been offered to the ambassador of the United States, and the bargain was just being concluded, when M. Berthoud suddenly set off for London."

The prefect does not however permit the matter to rest here: he writes that undoubtedly M. Berthoud did offer to sell 100,000 muskets, deposited at Nice; and yet, that when pressed for proofs of the existence of these muskets at Nice, he refused to give the necessary information. "Now," says the prefect, "these contradictions and this mystery give reason to presume that this negotiation about the muskets is meant as a cover for the real object of his voyages."

A subsequent answer informs the prefect, that Berthoud was enjoying himself heartily at having mystified the police, on whom he confesses he had been playing a trick, that nevertheless, people were continually calling at his lodgings to ask to buy muskets, and that each visit gave occasion to hearty laughs on the part of this contumacious M. Berthoud. After this the prefect does not write another word on the subject.

A political police is the natural resource of tyranny; opinion is the deadly enemy with which it wages a perpetual and deadly warfare: to watch it, to repress it, to report it, is the business of the police, which is the prowling jackall of the ravenous lion. A representative government requires no such nefarious aid, it is not opposed to opinion but governed by it, as long as a nation enjoys a constitution which has for its legitimate object the happiness of the people for whom it is framed, it has no need of a political police. It is a favourable sign for France, that disclosures of all kinds are beginning to be made of the iniquities of the police. It would seem that the system was breaking up, that the instrument was no longer wanted, a proof that the House of Representatives is becoming an adequate, if not a perfect, organ of national opinion.

ART. XVI.—*The Case of the Forty-Shilling Freeholders of Ireland, in a Letter to the Members of the Imperial Parliament.* By the Hon. Henry R. Westcote, M.P. London. Ridgway. 1829.

BISMI'LLAH! here beginneth the first chapter of the Book of Universal Suffrage and Annual Parliaments; which he that runs may read, and reading shall run on, till all men run together, and the words of the book are ended. *AL HAMDU LI'LLAH!* for He is great and there is none beside. Say to the prisoners, Go forth; to them that are in darkness, Shew yourselves. They shall feed in the ways, and their pastures shall be in all high places.

Bind it as a frontlet between your eyes—let it be written on the tablet of your hearts—that because of justice and mercy were these men spoiled. When your children ask their fathers in time to come, saying, What did these things mean,—say to them, Because these men removed a sore evil they were stricken. Therefore is their seed made prosperous, and their roots spread abroad in the land.

If ministers had taken counsel together,—if a spirit had rushed upon them, to raise up the principles of free and representative government from the neglect into which they have of late times fallen,—no better course could have been devised than that in which they have been made to walk. They took an imaginative people, in the moment of their fervour and their success; and, while the wax was burning, they impressed on it a signal and a memory, that by popular representation they had carried their just cause, and that to popular representation they and all must look, both for that which they had, and that which they had not. The government held up a huge board, and chalked on it in characters of political algebra which no man could mistake—that *security varied as the power of suffrage*. They commanded their pupils to observe, that he who had suffrage could not be oppressed, and that if he had not had it, he would have been. They shook the sleepy and flapped the careless; and called on all eyes and ears to direct themselves to the conclusion, that because the power of suffrage had removed a great wrong, *therefore it should be taken away*.

Suppose the same reasoning was carried into common life. Suppose it was determined, that it was very advantageous to the community that thieves should be arrested; but the Bow-street officer who did it, to please ~~the~~ thieves should be thrown into the Thames. Suppose it was settled, that fires must be got under; but the firemen who were the instruments, must be thrown into the embers *pour encourager les autres*. In either of

these there would be just as much reason, as in the course proposed to be pursued towards the Irish Freeholders.

The Irish freeholders may perhaps be easily put down. A certain number of troops and cannon will probably secure it without resistance. And what number of troops and cannon would put down the freeholders of England? The question is a just and inevitable one; because the government has pointed out no reason why prudent men should not be providing themselves with the answer. The ministry has drawn no line of demarcation whereby any man can assure himself, that when the Irish Freeholders are on one side the boundary, his own freehold shall be found upon the other. The difference between one sum and another, is but a scratch of a pen in the blank place in a sheet of parchment. There apparently wants nothing, but that somebody should establish that his freehold has been of use to him, and it may be swept away accordingly. It is mere matter of volition, that the man in Yorkshire or in Westminster who goes to bed a freeholder, does not wake unfreeholded on the morrow. The more good his freehold does him,—the more efficacious it is found to be in keeping off the persecutor from his altar and the spoiler from his hearth,—the more likely it is that somebody should be found desirous of taking it way.

The Irish Freeholders had authenticated the splendid fact, that nature has provided for the happiness and good government of mankind, by making the influence of the rich over the poor fail just where it ought; namely, when the rich attempt to inflict on them some gross and general injustice. The assertion that the rich are in danger from the poor, is a fraud of tyranny; it is the rich who are the natural enemies of the poor, and it is on the side of the poor and not of the rich, that we are to look for nature's countervailing energies and defensive provisions. The influence of the rich is just and proper, exactly as long as it is exercised by consent. It is a bargain, like what takes place when the rich man buys the merchandise of the other. But for the rich man to complain when his influence fails, is as unjust, unreasonable, and impolitic, as if he was to complain that the poor man refused to give all the goods in his shop for a limited sum, and his wife and daughter's honour in addition. The bargain is for such things as the poor man is willing to give for the *quid pro quo*; not for such things as he is not. Hence, when the landlords complain of the tenants going against their influence—when they peep or mutter touching the right of the rich to more servility than the poor are willing to think they pay for—the justice and reason of their undertaking are

on the same footing, as those of a demand on the part of the physical force, to take lands on their own terms, or to dictate the quantity of income which it may be allowable for a good citizen to possess. If the landlords are to be Captain Rock, the two Captain Rocks must settle it by single combat. Or if any body else is to interfere, he must at all events deal out even-handed justice to both.

It is utterly false and without foundation, that a landlord or proprietor of any kind has any claim to the services or votes of those below him, beyond what he can induce them voluntarily to bestow. The assertion is an insult and an enormity; and every man that hears it tamely, is a pander to his own disgrace. It would be just as true to say, the rich have a right to the goods in the market, beyond what their money will buy. Their good luck has given them the power in one way; but it does not therefore follow, that they have it in the other too. They have a right to all their money will procure them; but they have not a right to what other people possess, whether they chuse to part with it or not. The pretence set up in Ireland to an abstract right over the votes of the tenants, is undiluted slavery,—the custom of the West Indies transferred to Clare. It is pure unmingled fendalism; such as men thought the world, in this part at least, had thrown off for centuries. It has raised the question, and thrust it home to every poor man's heart in every parish and hundred in Great Britain,—whether the poor have any rights—whether they are an entity in the eye of law or not—whether they are any thing but machines to work the rich man's will, to drain his bogs, to hoist his game, and vote at his elections. Time was, when if they did these things, it was supposed to be because they were paid for it; but the new doctrine is, that these are claims of right, and that the tenant came into the world the landlord's voter and his slave.

However remote men may be from the general knowledge of the truth, the first step towards improvement is that somebody should know it. The abstract verity is, that nobody should steal; however far the annals of Bow-street may prove us from the practice. No man has disproved—no man will ever disprove—that the right of suffrage is as universal and clear a claim, as the right of purchasing in the market. Fallacies may be multiplied in opposition, till they amount to as many as there are days in the year, or in all the years since Adam; but they all drop off when dry—*non hærent vestibus*—they require but a shake to cast them from the garment they dishonour. How fast, or by what steps, men may advance towards the practical application of the truth, is a distinct question; but the

first thing is, that the truth be known. And the great truth—of which vast regions, foremost of the world in possession of all real good, are marching in the hourly demonstration—is, that when all have suffrage and not before, the political interests of all are fitly framed together into a harmonious whole, in the same manner that their pecuniary interests are, by allowing every man's money in the market to tell for what it has the power to count. Property should be represented; but then it should be property in the hands of every body, and this can only take place when every body is represented. The fallacy put forward is, that the rich should have the benefit of their property, and have a monopoly of the representation besides; which is exactly as wise and just, as if they claimed to have the benefit of their money in the market, but urged that they could not have this unless they kept the poor man out.

Why the ministry chose the present hour for fixing the world's attention on this magnificent truth, is best known to themselves. It was not necessity; it must therefore have been good-will. With all the intelligence and suffering of the country at their backs, the ways were not one but many, in which ten brief words would have tamed the most rampant opposition, and moulded it to their hand. Why, for example, should the minister have done such a thing—when he could have dug a hole and whispered Corn-laws and every rural Midas must have danced attendance in his train. 'The fox,' saith an ancient historian, 'when he is troubled with fleas in his skin as his custom is, he entereth the water, and holdeth a good piece of wool in his mouth, and when by little and little he is covered, and the fleas have entered the wool, he letteth it go and so is delivered.' What if the minister should imitate this specimen of quadrupedal intelligence, and when the armies of the intolerants have collected themselves into the Disfranchisement bill, should drop the whole together, and send them floating down the stream of public ridicule. The man that can win a battle, can do as much; and it would be pure gain to the cause of public freedom, because the impression in favour of the powers of suffrage would be more strong than ever.

Unless some turn like this prevents it, there is the greatest probability that the unjust disfranchisement will be carried almost by acclamation. There is no use in trying to resist what cannot be resisted; the business of wise men is to collect what may be of future use, like the officers who on their retreat from Moscow speculated on the crystallization of flakes of snow. The grand experimental inference—whose roots are here and its branches with posterity—has been insisted on already. The

next is, to remember that henceforth for ever, when some bloated abuse shrieks under the axe of a just majority,—when it cries for mercy in the grasp of the finisher of the law, and stammers out the words “vested interests” in its terror,—no answer but one arise from the assembled crowds,—“The Forty-Shilling Freeholders.” Ye gave no mercy; why should ye have any? When the question was of the vested rights of two hundred thousand men, given solemnly by ancient compact, and exercised for the noblest purposes that any compact could have in view,—these were as straw and stubble before your ardour to destroy; and why should the people’s friends, in the hour of their strength and triumph, regard *your* antiquity of injustice and precedents of wrong. Twelve little months, and who would have thought of seeing the Protestant monopoly expiring in the arms of a minority. A twelvemonth more may see the universal British people at issue with some other form of selfishness—and then should their souls be moved by the wailings of the “vested interests,”—should their eyes be disposed to pity and their hands to spare,—the memory of the Forty-Shilling Freeholders shall be put in, like the belt of the slain upon the fallen hero of the *Æneid*, and change all soft relenting weakness into one stern cry for justice and dispatch. What might otherwise have been vengeance, forewarned is retribution. There are strong links between an injury and its punishment, which man may slight, but the Providence which rules the world has promised to remember. See its hand be shortened—if it forget this once, to leave a lesson for the benefit of those who shall come after us for ever.

The stand made for the Forty-Shilling Freeholders by the member for the county of Monaghan, is in itself a proof of the advantage of the system it is intended to destroy. When Ireland had sunk into a concealed civil war between the many and the few, the existence of the Forty-Shilling Freeholders could bring forward able defenders of the poor man’s rights, and amalgamate the feelings of the noble with the injuries of the peasant. Go to, now; and destroy all this. Tell the peasant he shall stand on one side of the ditch, and the constitution on the other; but wonder not if he be seen breast-high upon his passage, and if the next news of him be upon the crown of your defence.

END OF VOL. X.

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